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ARCHIVES OF MARYLAND

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

APRIL, 1684 — JUNE, 1692

PUBLISHED BY AUTHORITY OF THE STATE, UNDER THE DIRECTION
OF THE MARYLAND HISTORICAL SOCIETY

WILLIAM HAND BROWNE

Editor



BALTIMORE
MARYLAND HISTORICAL SOCIETY

1894

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ROOMS OF THE MARYLAND HISTORICAL SOCIETY,

BALTIMORE, *November 20, 1894.*

To the Maryland Historical Society :

GENTLEMEN :

We have the honor to submit the Thirteenth Volume of the Maryland Archives, being the Proceedings and Acts of the General Assembly, April, 1684-June, 1692.

Respectfully,

HENRY STOCKBRIDGE,
BRADLEY T. JOHNSON,
CLAYTON C. HALL,

Committee.

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The following volumes have been published :

- I.
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- V.
PROCEEDINGS OF THE COUNCIL, 1667-1687/8, - - - - - 1887
- VI.
CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, I, 1753-1757, - 1888
- VII.
PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1678-1683, - 1889
- VIII.
PROCEEDINGS OF THE COUNCIL, 1687/8-1693, - - - - - 1890
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- XI.
JOURNAL OF THE MARYLAND CONVENTION, JULY 26-AUG. 14, 1775 }
JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF SAFETY, AUG. } 1892
29, 1775-JULY 6, 1776, }
- XII.
JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF SAFETY, JULY 7-
DEC. 31, 1776, - - - - - 1893
- XIII.
PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1684-1692, 1894

PREFACE.

The present volume continues the Proceedings and Acts of the Assembly from April, 1684, to June, 1692. The continuity is broken by the revolutionary outbreak of 1689, no journal of the Associators' Assembly having been preserved. To fill this gap to some extent we have inserted copies of documents preserved in the Public Record Office, London; but for fuller details the Council Records must be consulted. This revolutionary Assembly, which handed over the Province to the King, was succeeded by one elected under the new order of things, and presided over by Lionel Copley, the first royal governor, which, among other fundamental changes, repealed all existing statutes in mass, and promulgated a new code, which is here given in full.

The sources for the session of 1684 are the original journals of the two Houses, small unbound cahiers; that of the Lower House being in a damaged condition, but missing words have been supplied from a later copy.

Of the session of 1686 no journal of either House has been preserved, and we print the Acts only. Of the session of 1688 we have no Lower House journal, and for the Upper House only a copy made in the last century. The Acts of these three sessions are preserved in Lib. WH.

For the important Assembly of 1692, we have the original journal of the Lower House, an unbound cahier, much damaged by damp and worms, but on the whole intelligible. Where possible, the text has been supplied from the Acts, or from the Upper House journal, which exists only in a later copy. Here and elsewhere such restorations are indicated by brackets. The Acts of this session are from Lib. LL, a copy made in 1695 at Whitehall from the original in the Plantation Office, as the colophon shows.

There seems hardly occasion for explanatory notes. The reader may observe, on p. 126, the naturalization of De la Grange, Dankers, Sluyter, and Bayard, the Labadists, whose settlement at Bohemia Manor forms a singular chapter of Maryland history. On p. 90, l. 8, the contraction "pvt pet" is for "prout petitur," "as is asked." The use of "Annapolis" on p. 328 is an obvious slip by the scribe of the late copy of the Upper House Journal.

W. H. B.

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W. H. B.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY
OF MARYLAND,

At a session held at St. Mary's, April 1-26, 1684.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE UPPER HOUSE OF ASSEMBLY.

Anno 1684

Journall of the Upper house of Assembly

U. H. J.
Original.
p. 1

At a Generall Assembly p Proclamation bearing date the [tenth] day of July Anno Dni 1682: appointed to beginn and be holden [at the] City of S^t Maries the Twelfth day of October then next following p Proclamation bearing date the Ninth day of September 1682 prorogued unto the Twenty fourth day of October then next following And from thence p Proclamacōn bearing date the said Twenty fourth day of October further prorogued untill the Twenty sixth day of the same month, At which said Twenty Sixth day of October 1682, the said Assembly mett and sate at the said City of S^t Marys and there Continued untill the seaventeenth day of November then next following and was from thence then prorogued untill the first Tuesday in March then next following, and p Proclamacōn bearing date the Three and Twentyeth day of January 1682, prorogued unto the Eighth day of May then next following. And by Proclamacon bearing date the Third day of Aprill Anno Dni 1683 was prorogued unto the fourth day of September then next following. And p Proclamacōn bearing date the Sixth day of July: Anno Dni 1683: was further prorogued unto the first Tuesday in October following to meete at the Ridge in Ann Arundell County at which said first Tuesday in October last past the said Assembly mett and sate at the Ridge in Ann Arundell County and there Continued untill the day of last past and was from thence adjourned unto this ffirst day of Aprill And p Proclamacōn bearing date the ffifteenth day of ffebruary last past appointed to sitt and meete att the City of S^t Marys this said ffirst day of Aprill 1684 Att which said day the said Assembly accordingly mett at the said City of S^t Marys Where appeared in the Upper house Viz^t

The hon ^{ble} {	Coll Henry Coursey	The Hon ^{ble} Major Nicholas Sewall
	Coll Henry Darnall	John Darnall Esq ^r

Being mett and the house called Adjourne till to morrow morning Tenn of the Clock

Aprill 2^d 1684:

Upper house mett P^rsent

The Right Hon^{ble} the Lord Prop^{ry}

The Hon^{ble} Coll Henry Darnall The hon^{ble} John Darnall Esq^r

Adjourne till to morrow morning Tenn a Clocke.

Aprill 3^d 1684:

Upper hóuse mett p^rsent

The Right Hon^{ble} the Lord Prop^{ry}

The Hon^{ble} { Coll Henry Coursey
The Hon^{ble} { Coll Henry Darnall
The Hon^{ble} { Coll William Digges

Adjourne till to morrow morning Tenn a Clock

Aprill 4th 1684

Upper house mett: P^rsent

The Right Hon^{ble} the Lord Prop^{ry}

The Hon ^{ble}	{	Coll Henry Coursey	The Hon ^{ble}	{	Major Nich ^o Sewall
		Coll Henry Darnall			
		Coll William Digges			
		Coll Will ^m Stevens			John Darnall Esq ^r

Notice given to the Speaker to attend his Lōpp here with the Members of the Lower house:

The Speaker and Members of the Lower house Enter

His Löpp Declares to them the reasons of his meeting them at this time in manner following viz^t

Gentlemen of the Upper and Lower houses of Assembly. Tho I had not the satisfaction I reasonably expected at the meeting I gave you in Ann Arundel; Yett I would not have you beleive my adjourning you to S^t Marys was the effect of a dissatisfaction in me towards any persons here p^rsent I must Confess the danger I saw our Temporary Lawes in, and the necessity of preserving them, forct me to adjourne when I thought to have prorogued you. That and my desires of being neer my owne home at this time, for the Setling of my private Affaires moved me to appoint the meeting here. And
p. 3 now that I have by that adjournment continued the Temporary Lawes till this time, I expect you will Consider it ought to care, as well as altogether mine that the Province be not left without those Lawes, that have beene hitherto thought use[ful] and necessary.

For this reason it was I desired to meete you thus soone,

as also to assure both my houses, that I am ready to Joine in anything you cann reasonably expect at my hands, in relation to those Acts made perpetuall in the yeare 1676: Hopeing I shall see noe more irregular and unparliamentary way of proceedings in either of the houses; such being not for the safety of those whome you come here to Serve: nor for the Honor of this Assembly and for those reasons not fitting for me to yeild to: I doe promise on my part to be free plaine and very kind with you and the same (I hope) to deserve from you, for by that way of proceeding onely cann the Province reape that advantage and all of us that Satisfaction which cann be desired from this p^rsent meeting.

U. H. J.
Original.

Tis with some difficulty that I must now acquaint you of my resolucōns of goeing Speedily for England where the greate Exigency of my affaires, not my owne inclinations, nor love for that place doth now drawe me. It is to preserve my intrest and to settle my Child in an Vndisturbed right afore I die, that causeth me to resolve vpon this Voiage.

Haveing given you this Assurance I hope you will beleive my stay there will be No longer, then the procureing a decision of those matters you all knowe have beene the Subject of some diferences betwixt M^r Penn and me. Those once happily ended, I shall soone returne to this place where it is my interest, as also my Inclination, and delight to be.

Gentlemen, I have much busines, private as well as publick to settle afore I goe, for all which I cann hardly afford my selfe a full month; a fortnight I am very willing to spend with both my houses of Assembly, that afore I leave you, I may see those things Settled to yo^r satisfaccōn, w^{ch} may conduce to the good welfare, and security of the Inhabitants, whom you here represent off this I am soe extreemely desirous, that nothing shall be wanting on my part towards it. Adjourne for an houre. Mett againe as before and adjourned till to morrow p. 4 Nine a Clock.

Aprill 5th 1684:

Upper house mett and p^rsent

The Right Hon^{ble} the Lord Prop^{ry}.

The Hon^{ble} { Coll Henry Coursey
Coll Henry Darnall;
Coll William Digges

The Hon^{ble} { Coll William Stevens
Majo^r Nich^o Sewall
John Darnall Esq^r

Upper house of Assembly Aprill 5th 1684:

His Lōpp haveing Signified to this house the greate care and trouble he hath taken in fairly transcribing the Temporall and perpetuall Lawes of this Province for the peruseall and Examinacōn of this Assembly hath likewise desired for his

U. H. J. further Satisfaccōn, and to p^rvent the unnecessary delay of
 Original. Messages that the Lower house would resolve themselves into
 a grand Com̄ittee and joine with this house in inspecting and
 Examineing the said Lawes or to appoint some of their mem-
 bers to ioine with some of the members of this house therein,
 to the end that they may receive the approbation, and Con-
 firmacōn of this Assembly with his Lōpps most gracious
 Assent thereunto. In Obedience whereunto this house doe
 propose that Munday next be appointed to doe the same

Signed p Order John LLewellin Cl Assembly:

Sent to the Lower house p Coll Darnall:
 and Major Nicholas Sewall:

They Returne:

Adjourne till Monday Morning Eight a Clock:

Aprill 7th 1684:

Vpper house mett, and P^rsent

The Hon ^{ble}	{ Coll Henry Coursey, Coll Henry Darnall: Coll Will: Stevens,	The hon ^{ble}	{ Coll W ^m Burges Major Nich ^o Sewall M ^r John Darnall
------------------------	---	------------------------	---

A Messuage from the Lower house p M^r Thomas Burford
 Cap^t Richard Hill, M^r Clement Hill, and Cap^t John Osbourne
 which they say was brought from their house on Saturday last
 p. 5 after the Adjournm^t of this house and was carried back and
 there remained till the meeting of this house to day viz^t

Lower house of Assembly Aprill the 5th 1684:

Voted that this house doe resolve themselves into a Grand
 Com̄ittee on Monday morning next to meet the Upper house
 as is desired by the Message of this day by Coll Darnall and
 Major Sewall.

Signed p Order Charles Botler Clk of the Lower house
 of Assembly:

Upper house of Assembly Aprill 7th 1684:

This house have resolved themselves into a Grand Com-
 mittee and desire the Lower house to meet them in this house
 at Two of the Clock afternoone to inspect and Examine the
 lawes of this Province, according to the vote of both houses

Signed p Ord^r John LLewellin Clk of Assembly

Sent to the Lower house p M^r John Darnall.

Hee Returnes

Adjourne till Two a Clock to joine in grand Committee
 with the Lower house

Mett againe as before and adjourned till to morrow morn-
 ing Nine a Clock:

Aprill 8th 1684.

U. H. J.
Original.

Upper house mett
Present

The hon ^{ble}	Coll Henry Coursey	}	Major Nicholas Sewall
	Coll Henry Darnall		Mr John Darnall
	Coll William Stevens		Coll William Burgess

Adjourned to the Grand Comittee of both houses.

Mett againe in the Evening P^rsent as before and Coll
Thomas Tailler, Coll Vincent Lowe and Coll William Digges
Adjourned till to morrow morning Seaven a Clock

April 9th 1684:

Upper house mett p^rsent

Coll Henry Coursey	}	Coll Henry Darnall	}	& Coll W ^m Burges
Coll Tho: Tailler		Major Nich ^o Sewall		
Coll Vincent Lowe		Mr John Darnall		

Adjourne to the Grand Committee of both houses

p. 6

Mett againe from the Comittee and adjourned till to mor-
row morning Seaven a Clock:

Aprill 10th 1684:

Upper house mett P^rsent

The Hon ^{ble}	{	Coll Henry Coursey	The hon ^{ble}	{	Coll William Digges
		Coll Tho: Tailler			Major Nich ^o Sewall
		Coll Henry Darnall			Mr John Darnall

Adjourne to the Grand Comittee:

Mett againe and adjourned till to morrow morning Seven a
Clock

Aprill 11th 1684

Upper house mett

The Hon ^{ble}	{	Coll Henry Coursey	}	Present:
		Coll Thomas Tailer		
		Coll Henry Darnall		
		Coll William Stevens		
		Major Nich ^o Sewall		
		Mr John Darnall		
		Coll William Burges		

Adjourne to the Grand Comittee:

Mett againe & adjourned till to morrow morning Seaven a
Clock

U. H. J.
Original.

Aprill 12th 1684

Upper house mett P^rsent

Coll Henry Coursey

The Hon ^{ble}	Coll Tho: Tailler	}	Majo ^r Nicholas Sewall
	Coll William Diggs		Mr John Darnall
	Coll W ^m Stevens		Coll William Burges

Adjourne to the Comittee:

Mett againe and adjourned tilll after dinner about Three a Clock.

Upper house mett againe p^rsent as before
Adjourne till monday Morning Tenn a Clock

Aprill 14th 1684

The Upper house mett

P^rsent

P. 7

The Hon ^{ble}	{	Coll Henry Coursey	{	Coll William Stevens
		Coll Tho: Tailler		Coll William Digges
		Coll Vincent Lowe		Majo ^r Nich ^o Sewall
		Coll Henry Darnall		Mr John Darnall
		Coll W ^m Burges		

Coll Vincent Lowe and Coll Henry Darnall sent out to their Comittee appointed to inspect & Examine the Temporary Lawes Coll William Stevens & Mr John Darnall likewise sent forth to their Comittee appointed for drawing up an Address to his Lp

A Message p Cap^t John Osbourne & Majo^r Long

Lower house of Assembly Aprill 14th 1684:

This house desire the Upper house to appoint some of the members of their house to ioine with some of the members of this house in a Comittee to state the publick Accounts of this Province.

Signed p Order: Charles Botler Clke of the Lower house of Assembly.

Adjourne till to morrow Nine a Clock in the morning

Aprill 15th 1684

Upper house mett p^rsent

The Right hon^{ble} the Lord Prop^{ry}

The Hon ^{ble}	{	Coll Henry Coursey	{	Coll Will ^m Stevens
		Coll Thomas Tailler		Coll Will ^m Digges
		Coll Vincent Lowe		Majo ^r Nich ^o Sewall
		Coll Henry Darnall		Mr John Darnall
		Coll William Burges.		

Coll Henry Darnall, Coll William Stevens and M^r John Darnall Sent out to their Committees. U. H. J.
Original.

Upper house Aprill 15th 1684:

This house haveing already ioined withe the Lower house in Two Committees have not members enough now left to sett forth any more, but soe soone as there shall be any greater appearance in this house, this house will then appoint some one or more of their members to joine in Committee with some of the Lower house to State the publick Accounts as is desired by the Message of the Lower house Yesterday: p. 8

Signed p Order John LLeuellin Cl Assembly

Sent by Major Sewall to the Lower house.

The Committees appointed for drawing an address to his Lōpp haveing concluded their Report is brought into this house p Coll William Stevens, and M^r John Darnall two of the members of this house upon the said Committee which was read, and the address to his Lōpp also being as follow:

To the Right Hon^{ble} Charles absolute Lord and Prop^{ry} of the Provinces of Maryland and Avalon Lord Baron of Baltemo^r &^c:

The humble peticōn and address of yo^r Lōpps Two houses of Assembly.

May it please yo^r Lōpp:

Wee yo^r Lōpps most humble servants the members of the Upper and lower houses of Assembly this p^rsent Generall Assembly conveened with all imaginable Gratitude acknowledging the happines peace and tranquility this yo^r Lōpps Province hath (through the blessing of God, and yo^r Lōpp: and honoured ffather of noble memory deceased care vigilancy and August Governm^t) hitherto injoyed, and the many Signall favours benefitts and imunitys wee have in generall received from yo^r Lōpps bounty and Clemency. And withall taking it into their Serious Consideracōns yo^r Lōpps gracious Speech made to us yo^r Two houses at the opening of this p^rsent meeting of Adjournment wherein (amongst other things therein Contained) yo^r Lōpp: was pleased to Communicate to yo^r two houses that the greate Exigency of yo^r Lōpps Affaires, required yo^r Lōpps Speedy Voyage for England and that notwithstanding yo^r Lōpps many other urgent concernes as well private as publick and that yo^r Lōpp was much straitned in time for the Accomplishment thereof Yett yo^r Lōpp was graciously pleased to condescend to impart a greate share thereof to Us Yo^r two houses in order to the Setling and establishing the perpetuall and Temporary lawes of this Province in such p. 9

U. H. J. manner as may best Conduce to the good welfare and secu-
Original. rity thereof Yo^r Lōpp vouchsafeing two Assure yo^r Two
houses That to Joine with them therein or in any thing that
they could reasonably expect at yo^r Lōpps hands was the
Cause of yo^r Lōpps appointing this meeting, and for the
effecting whereof nothing should be wanting on yo^r Lōpps
part.

And seeing that Since the last meeting of Assembly yo^r
Lōpp (in order to the better setling the Lawes of this Prov-
ince hath caused the Lawes of this Province to be fairly tran-
scribed and hath made Three Coppys thereof offering the
same to the Consideracōn of yo^r Lōpps two houses for their
view, puseall, approbacōn and emendm^t thereof and assent to
the same, That soe after due Examinacōn of them they might
with the advice and Consent of yo^r Lōpps Two houses receive
their full vigour and force by yo^r Lōpps assent and Confirm-
acōn Now may it further please yo^r Lopp:

Yo^r Lōpps Two houses of Assembly in the first place hereby
returneing yo^r Lopp: their most humble and harty thanks, for
yo^r Lōpps greate kindness, love and affection to and studious
care for the good and welfare of the good people of this yo^r
Lōpps Province, Doe in the next place humbly assure yo^r
Lōpp that in Obedience to yo^r Lōpps Comands they have care-
fully and diligently revised and Examined the said Three
Transcripts of the lawes aforesaid and compared them with
the antient booke of lawes and such Originalls as Came to
their view. In the peruseing and examineing whereof they
have found some Lawes omitted and have mett with some
other Error^s and mistakes and make observations for some
necessary amendments to be made as well in the antient
booke of lawes as in the Coppys or Transcripts and have
reduced the Titles of all the perpetuall Lawes by yo^r Lōpps
p. 10 Two Houses of Assembly desired to be Confirmed unto a
Schedule hereunto annexed, with such necessary amendm^{ts} to
the same to be anew drawne over as to yo^r Lōpp shall seeme
meet, and the p^rsent juncture of time will permitt the Lawes
omitted being also added to be fairly ingrossed in a Booke for
that purpose to all which perpetuall Lawes added and amended
as aforesaid. Yo^r Lōpps Two houses of Assembly doe humbly
beseech yo^r Lordpp wilbe graciously pleased to give yo^r Lōpps
assent unto and approbacōn and Confirmacōn thereof and
cause the same to be fairely ingrosed in a booke for that pur-
pose And that all other the perpetuall Lawes and Acts of
Assembly heretofore made and published in this Province of
what kind or quallity soever (other then what are in the
Schedule hereunto annexed mencōned and amended as afore-

said, and by the Consent of yo^r Lōpp and both houses thought U. H. J.
fitt to be entred in the new booke as aforesaid) may stand and Original.
be for Ever absolutely Repealed.

Yo^r Lōpps gracious condiscencōn hereunto and Confirm-
acōn hereof as aforesaid before yo^r departure is (with all due
Obedience and submission to yo^r Lōpp good will and pleasure
therein) most humbly offered to yo^r Lōpps Consideracōn by
yo^r Lōpps two houses of Assembly as the Cheifest meanes to
p^rserve and Continue the peace Unity and welfare of this yo^r
Lōpps Province and the Inhabitants thereof in their just and
due Obedience, In whose harts you will Rule to Comand
upon all iust Occasions what shalbe requisite and necessary
for the defence and support of the dignity of this yo^r Lōpps:
Province

Signed p Order Anth: Underwood
Clk Com̄ittee.

The Report of the Com̄ittee for the draweing of the s^d
Address to his Lōpp relateing to the Lawes of this Province
is as follow viz^t

Munday Aprill 14th 1684

p. 11.

Att a Comittee of both houses appointed for the draweing
up an humble Address to the Right hon^{ble} the Lord Prop^{ry}
relateing to the Lawes of this Province

P^rsent of the Upper house

P^rsent of the Lower house

The Hon^{ble} { Coll William Stevens }
 { John Darnall Esq^r }

Mr Robert Carvile
Mr Tho: Burford
Mr John Rousby

Resolved by this Comittee that it is very Expedient the Act
provideing against Sudden accidents in the Governm^t be
amended

Resolved also that the Act touching Judicature made Anno
1646: be also amended in regard of a Clause therein viz^t (in
defect of law then &c) is Condemned by another Act Con-
cerning proceedings at law, which sayes leaving to much to
discrecōn is to open a Gapp to Corrupcōn.

Resolved that the Act touching pagans, being found to be
incerted in other Lawes ought to be repealed.

Resolved that the Act for punishing Certaine Offences
against the peace &c should be amended.

Resolved that the Act prohibiting the transportacōn and
sale of his Lōpps Ordinance be inspected into, in order to
amendment

Resolved that the Act touching hoggs and markeing Cattle,

U. H. J. although incerted in his Lōpps booke for a perpetuall law
Original. stands repealed by an Act made 1671.

Resolved that the Act for appointm^t of Certaine Officers is a Temporary law, and therefore to be putt out of the perpetuall Law booke.

An Act Imposeing a penalty on all such as shall dispose of Tobacco seized or received by the Sheriffe &c^a made 1664 that there is another Act made since viz^t 1678 doe thinke it meet the latter Act being alwayes Revived to have it made perpetuall, and the other Repealed

An Act for Explainacōn of that Clause in an Act made in the time of Cap^t Stone 1649: touching hoggs and marking
p. 12 Cattle in his Lōpps booke of lawes mencōned is by an Act made 1671: repealed.

Memorand^m that a new law be made touching hoggs and markeing Cattle.

Resolved that an Act for Continuance of peace with and protection of &c^a that the last Enacting Clause and Provisoe be repealed if thought Convenient.

Resolved that the Act for killing woolves be taken into Consideracōn.

An Act for Secureing Orphants Estates made 1671: is repealed in 1681: by a new law for that purpose made.

An Act for Support of his Lōpp made 1671: be taken into Consideracōn.

An Act of Gratitude to his Excellency Charles Calvert Esq made Anno 1674: to be Considered of:

An Act for limitting the County Clerks ffees to be inscribed into the new booke

A Supplementary Act to be made to the Act for Trade:

Signed p Ord^r Ant. Vnderwood

Clke Comittee:

Munday Aprill 14th 1684

Resolved by the Comittee what Lawes are ppetuall:

An Act for Church libertys made 1640:

An Act for uncertaine Goods made 1640:

An Act against Sudden Accident in the Governm^t made 1640:

An Act Concerning Religion made 1649 & 1650:

An Act for Recognition &c^e made 1649: and 1650

An Act Concerning purchaseing land from Indians 1649: and 1650:

An Act of Oblivion 1649: 1650:

p. 13 An Act for punishing Certaine Offences against the peace &c made 1649: & 1650:

An Act against raiseing mony within this Province without the Consent of the Assembly: made 1649 & 1650: U. H. J.
Original.

An Act Concerning leavying warr wthin this Province made 1649: & 1650:

An Act prohibiting the Transportacōn and Sale of his Lōpps Ordinance made 1649 & 1650

An Act for the Speedy paym^t of debts due to the Right hon^{ble} the Lord Prop^{ry} made 1649 & 1650:

An Act for planting of Corne made 1649: & 50:

An Act touching Indians made 1649 & 50:

An Act for taking the oath of ffidelity to the Lord Prop^{ry} made 1649: and 1650:

An Act Concerning Accounts to the Lord Prop^{ry} made 1649: 1650

An Act Concerning trade with Indians 1649: 1650:

An Act for punishing certaine offences as swearing &c^a made 1650: An Act prohibiting Compliance with Coll Cleybourne &c made 1650:

An Act Concerning decerted plantacōns: An Act erecting Providence into a County &c made 1650:

Capt: ffendalls Act made 1658:

An Act for Encourageing such Soldiers &c

An Act for putting vp Mint &c

An Act for repeale of the Act for Customes made 1661:

An Act for port dutys:

An Act for purchaseing a State house and Prison

An Act for Repeale of an Act made 1661 Entituled an Act for killing of wilde Cattle:

An Act for preservation of harbo^{rs} made 1664:

An Act made at the same time concerning Negroes and Slaves One Clause thereof In force.

An Act appointing Corono^{rs}

An Act Concerning Articles of peace with Indians made 1666:

An Act prohibiting the Office of Sheriffe and Clerke to be officiated &c made 1666:

An Act prohibiting the Sher: Com^{rs} and Clerkes to plead as Attornys &c^a made 1676:

An Act made Empowring the Governo^r and Councill to make warr and peace beyond the bounds of this Province 1666: p. 14

An Act for publication of all Lawes within this province made 1666:

An Act for Continuance of peace with and protection of &c:

An Act for Recording the Journall of the Lower house made 1669

U. H. J. An Act for Encourageing such persons as shall undertake
Original. to build mills:

An Act for Incourageing the Importacōn of Negroes & Slaves

An Act Empowring the Com^{rs} of the County Court for raiseing and leavying Tobacco &c made 1671:

An Act for makeing voyd and punishing all fraudulent practices &c made 1671:

An Act for quieting possession made 1671:

An Act for raising a Support for his Lōpp made 1671:

An Act prohibiting all Sheriffes, Subsheriffes Clerks to plead as Attornys made 1671:

An Act of gratitude to his Excellency Charles Calvert Esq^r made 1671:

An Act for killing of Woolves made made 1671:

An Act for Enrolment of all Conveyances made 1674

An Act appointing Court dayes &c made 1674:

An Act declareing what shall be done by the Sheriff
Ex Officio:

An Act for Erecting a Court house and prison made 1674:

John Longs petition made 1674:

An Act for building a Court house and prison at S^t Marys made 1674:

Acts for Naturalizacōn made 1666: 1669: 1671: & 1674:

An Act for repeale of Certaine lawes, and also for asser-
taining w^t lawes are in force made 1676:

The peticōn of Phillip Calvert Esq^r one of the Overseers of
Jarbo 1676:

An Act for Settling the Estate &c of Robert Cager made
1676:

An Act for keeping holy the Lords day.

An Act for limitacōn of Officers ffees made 1676

p. 15 The Peticon of Mary Ward &c made 1678:

An Act for Naturalizations made 1678:

An Act Concerning Negroes and Slaves made 1681:

An Act for repeale of Certaine Lawes made 1681:

Samuel Holdsworths Act:

An Act Concerning Port dutys made 1682:

An Act for advancement of Trade:

Naturalizacōn Acts made Anno: 1681: & 1682:

Signed p Order Ant Vnderwood Clke Committee

Vpon reading and full Consideracōn hereof this house pro-
ceede to give their Opinion as follow:

Aprill 15th 1684:

The Opinion of the Vpper house concernning the perpetuall
Lawes and the address to his Lōpp: thereon:

f° 1: An Act touching Pagans Anno 1647: being provided for by an Act touching Indians made 1649: & 50: f° 11: a fuller and better Act, and Containes the whole Substance of the former act, save the latter clause empowering the Governo^r to deliver Armes and amunition to any freind Pagans, which this house Conceive his Lōpp (having reduced most of the Indians to his subjection and in amity with them) hath power to doe with out any law and therefore voted that the last law touching Indians is Sufficient: U. H. J.
Original.

f° 9: Act prohibiting the transportacōn or sale of his Lōpps Ordnance Amunicon goods Chattles &c 1649: & 1650: Voted that a new bill be drawne vp with amendments:

f° 12: Voted that in the oath of ffidelity a Clause may be incerted for a Salvo of allegiance to his Majesties p a Supplementary Act:

f° 15: An Act touching hoggs and markeing of Cattle 1649: & 1650: Repealed by an Act ag^t hogstealers 1671: a temporary law

f° 21: An Act for appointm^t of certaine Officers Anno p. 16. 1661 was at first temporary, but in transcribing now into the booke the last terminating Clause omitted Ordered to be left out as temporary.

fo: 23: An Act for the repeale of the Act for Customes 1661: to be left out the Act for Customes its Selfe being out:

fo: 25: An Act imposeing a penalty on all such who shall dispose of Tobacco seized and received by the Sheriffe or others 1664: voted that one Act Anno 1678: of the same title and Tenno^r be writt into the booke of lawes as perpetuall, and that this Act 1664: be omitted

fo: 26: An Act for the Repeale of an Act made Anno. 1661: Entituled an Act Concerning killing wild Cattle 1664: the Act Concerning killing wild Cattle is not in the booke therefore noe need to incert this Act for the repeale thereof voted that it be left out.

f° 28: An Act for the Explainacōn of that Clause in an Act made by Cap^t William Stone 21th Aprill 1649: touching hoggs and markeing of Cattle 1664 repealed by a law against hogstealers 1671: Mem^{dnd} that a new Act be drawne for markeing hoggs and Cattle:

f° (30) An Act for the Continueance of peace wth and protectcōn of our Neighbours and Confederate Indians in Chop-tank River 1669: Voted that the last Enacting Clause (the Occasion being taken away) and proviso be left out.

fo 40: An Act for the killing of woolves 1671: a perpetuall Law and ought to pass as it is and incerted in the

U. H. J. booke of lawes in the place it is now: excluding the last termineing Clause.
Original.

fo: 41: An Act for the p^rservacōn of Orphans Estate 1671 is repealed by an Act for the better Adm^rcōn of Justice & Anno 1681: and ought to be admitted.

f^o 45 An Act of gratitude &c^a Anno 1674: to be Considered off. fo: 76: Henry Wards Act 1676: lett be omitted:

An Act for limitting the County Clerks ffees 1678: desired to be inserted a new Act to be drawne with reasonable ffees:

A Supplementary Act to the Act for Officers ffees 1681: to be incerted in the new transcript

A Supplementary act to be made to the Act for Trade.

Adjourne for an houre

Vpper house mett as before

Coll Henry Darnall and Coll Vincent Lowe Comittees appointed for inspecting the temporary Lawes, returne from their Comittee and bring with them their Report which they p^rsent to the house viz^t

Aprill 12th 1684.

Att a Comittee appointed to Examine the tempory Lawes transcribed:

Coll Vincent Lowe Chairman

Present { Coll Henry Darnall
Mr Clement Hill
Mr Henry Smith
Mr James ffrisby

John Blomfeild Clke

Then read and Examined

An Act Concerning the heighth of ffences made Anno 1661:

An Act for Conveyance of all letters concerning the State and publick affaires: Anno 1661:

An Act Concerning Indians Anno 1662:

An Act prohibiting Arrests upon the Sabbboth dayes and dayes of gen^rall musters and trayning Anno 1664

An Act for Amerciaments in the Provinciaall & County Courts Anno 1664:

An Act Concerning proceedings at law Anno 1664:

An Act against Exportacōn of wool and old Iron, 1664

An Act prohibiting trade wth the Indians for any fflesh dead or a live except Deere and wildfowle Anno 1666:

An Act prohibiting fforreigne Ingrossers Anno 1666:

p. 18 An Act limitting certaine Actions for avoyding Suites at Law Anno 1669:

An Act for the provideing Sufficent and carriage for the U. H. J. proper goods and Comoditys of his Lōpp the Lord Prop^{ry} of this Province and the governo^r of this Province for the time being Anno 1669: ^{Original.}

An Act provideing what shall be good Evidence to prove fforreigne Debts Anno 1669.

An Act against Divulgers of ffalse newes Anno 1671:

An Act against Hogstealers Anno 1671:

An Act provideing a standard with English weights and measures in the severall and respective Countys within this province 1671:

An Act prohibiting the Importacon of all horses geldings Mares or Colts into this Province with an Addicōn and amendment therein Anno 1671:

An Act for marking high wayes and makeing the heads of Rivers Creekes and branches and swamps passable for horse and foote Anno 1671:

An Act for stay of Execucōns after April Court Anō 1671:

An Act Concerning the Impannelling of the grand Inquest in Severall Countys within this Province Ano: 1674:

An Act for the Surveyo^r Gen^lalls ffees with addicōn of ffees vpon Resurveys and for leavying the same Anno 1674:

Adjourned for an houre.

Mett againe as before

Adjourned till Munday Nine a Clock:

Aprill 14th 1684: mett vt Supra and read & examined

An Act for the paym^t of ffees due from Criminall persons Anno 1674:

An Act Concerning those servants that have bastards Anno 1674.

An Act against burners of ffences Anno 1674:

An Act prohibiting all Masters of Shippes or Vessells or any other persons from transporting or carrying away any person or persons Out of this Province without Passes Anno 1674:

An Act against Runawayes and such persons as shall give them Entertainment, and other that shall travell without passes: Anno 1671: p. 19.

Note this Act is not in the reviveing Law Novemb 1682: but revived by a Clause in that Act prohibiting all Masters of Shippes or Vessells or any other persons from transporting or carrying away any person or persons out of this Province without passes Anno 1674.

An Act Concerning what shalbe allowed to the grand Jurys that were sum^mon twice a yeare out of the body of the Province to attend Provinciaall Court Anno 1674:

U. H. J. An Act for Secureing merchants and others tobacco after
Original. they have received it Anno 1676:

An Act relating to the Seizure of tobacco by the Sheriffes
Anō 1676

An Act for the publicacon of Marriages Anno 1676

An Act relateing to serv^{ts} and Slaves Anno 1676

An Act touching Coopers and gage of tobacco hogsheades,
Anno 1676:

Adjourned for an houre

P^rsent ut Supra:

An Act for Easm^t of the Inhabitants of this Province in
suites at law for small debts Anno 1676.

An Act for the Constables takeing the list of Taxables
Anno 1676: An act ag Importacon of Convicted p^{rs}ons
into this Province Ano: 1676

An Act regulateing Ordinarys & limitting the number of
them within this Province Annoq^e 1676.

An Act for Election of Sheriffes Anno 1678:

An Act for the better Administracon of Justice in the
County Courts of this Province Anno 1678.

An Act for appeales and regulateing writts of Erro^r Anno
1678.

An Act for keeping a Register of births marriages and
burialls in each respective County Anno 1678.

Adjourned till the morning.

Tuesday April 15th 1684: p^rsent vt Supra:

An Act imposeing a penalty on all such who shall dispose
of tobacco: Seized & received by the Sheriffe & other Anno
1678.

p. 20 Mem^d that this Act Concludes that it shall Continue for
three yeares or to the end of the next generall Assembly and
noe longer:

An Act for the ordering and regulateing the militia of this
Province and for the better security and defence thereof Anno
1681:

An Act for the better Adminstracon of Justice in pbat of
wills and granting Adminstracōns recovery of Legacys, and
securing filiall porcōns Anno 1681:

Adjourned till after Breakfast:

Mett vt Supra:

An Act for the more Speedy bringing to Tryall and sup-
pressing Criminalls & limitting their punishm^{ts} for certaine
offences when prosecuted in the County Courts Anno 1681:

An Act for preventing vexatious and unnecessary Suites at
law Anno 1681:

An Act restraining the Exportacōn of leather and raw hides, Deare and Elk Skinnēs out of the Province for the Encouragem^t of Shoormakers Anno 1681: U. H. J.
Original.

An Act against Ingross^{rs} and Reqraters Anno 1681:

An Act for Encouragem^t Tillage and raising provisions for advancem^t of trade within this Province Anno 1682:

An Act limitting the Expences of the Comission^{rs} of the County Courts of this Province Anno 1682:

An Act ascertaining what damages shall be allowed vpon protested Bills of Exchange Anno 1682:

An Act for the Encouragem^t of makeing Linnen and woollen Cloth within this Province Anno 1682

An Act for encouragem^t of sowing & makeing hemp and flax within this Province Anno 1682:

An Act for regulateing the Tares and abuses in tobacco hogsheads Anno 1683:

An Act limitting the Extent of Attachm^{ts} and provideing what shalbe leavyed vpon attachm^{ts} and Execucōns.

Adjourne till to morrow morning Eight a Clock.

Aprill 16: 1684

p. 21

Vpper house mett p^rsent:

The Hon ^{ble}	{	Coll Henry Coursey	{	Majo ^r Nicholas Sewall	} Present
		Coll Tho: Tailler		Mr John Darnall	
		Coll Henry Darnall		Coll William Burges	
		Coll William Digges		Coll William Stevens	

Coll Vincent Lowe Enters the house

Came also M^r Edward Pye and p^rsented himselfe unto this house being called by his Lōpps writt:

Upper house Aprill 16th 1684:

The Two Committees of both houses appointed to inspect and examine the Temporary and perpetuall lawes of this Province haveing p^rsented their Report to both houses. This house desires to Conferr with the lower house in the grand Comittee touching some result to be made therevpon in order to p^rsent to his Lōpp for his approbation and assent to what may be thought necessary therein.

Sent by Coll Stevens and	Signed p Ord ^r John LLeuellin
Coll W ^m Burges	Clke of Assembly

Coll William Stevens, and M^r John Darnall sent out to the Committee for draweing vp the address to his Lōpp: The both come for the Address and the Opinion of this house therevpon drawn vp which was delivered them and they return to their Com̄ittee.

Adjourne for an houre

U. H. J.
Original.

Upper house againe mett as p Adjournment

P^rsent as before

A Message from the Lower house by Cap^t Richard Hill and Docto^r John Brooke Cap^t Hill said he had in Comi^cōn to acquaint this house that they had sent out to their Comittee for Regulateing the Lawes to make what hast they could in Order to Comply with the message of this house.

The Message of the Lower house is as follow

Lower house of Assembly Aprill 16: 1684:

This house haveing sent out their members nominated to ioine in Comittee wth the members of the Upper house to
p. 22 regulate the Report of the Co^mittee brought to this house yesterday in order to the better ascertaining all matters which lye before the Two houses in relation to the temporary and perpetuall Lawes of this Province cannot well come to a Conference with the Upper house about the same untill their said Members returne to this house with their Report soe regulated, but then this house will meete the upper house in a Conference about the same as is desired

Signed p Order Charles Boteler Clke
of the Lower house of Assembly.

Upper house Aprill 16th 1684

The Lower house by their last Message to this house haveing Signified that their Committee is sent out to Regulate their Report made yesterday and that till they returne to the House they cannot well conferr wth this house as is desired This house doe approve thei^rof and desire that for the more effectuall dispatch of the busines in hand, their said Co^mittee may not onely be stirred vp to Expedite what they have in Charge but may be fully commissioned to debate and Consider of all matters relateing to both the pepetuall and Temporary Lawes for the result of both houses in the Conference in the Grand Committee

Signed p Order John LLewellin Clk of Assembly

The last Message sent by Coll
Vincent Lowe and M^r Edward Pye

The returne haveing delivered their Message Adjourne till to morrow morning Eight a Clock

Aprill 17th 1684

U. H. J.
Original.

Upper house mett

The hon ^{ble}	{	Coll Henry Coursey	Coll Tho: Tailler	}	P ^r sent
		Coll Vincent Lowe	Coll Henry Darnall		
		Coll William Burges	Coll William Diggs		
		M ^r Edward Pye	Coll William Stevens		
John Darnall Esq ^r					

A message p M^r Clement Hill and M^r Richard Hall who p. 23.
say that their house is ready to meet this house in a Grand
Committee:

Lower house of Assembly Aprill the 16th 1684

This house haveing appointed a Committee to prepare a
Supplementary Act to the Act for advancement of Trade,
Doe desire the vpper house if they have any any peticōns or
other matters before them relateing thereunto they may be
transmitted to this house for the perfecting the said bill.

Signed p Ord^r Cha: Botler Clke of the
Lower house of Assembly.

Ordered by this house that but One person at a time Speake
at the appointment of the Speaker, not to be interrupted by
any other under the penalty of a ffine at the discretion of the
house but that every person speake his opinion distinctly to
any matter debated in the house.

Brought into this house and read as follow (viz^t) William
Blankinstein aged 24 yeares or thereabouts deposeth as fol-
low:

That M^r Jacob Young is soe sick and weake being all over
his body broken out with boyles and sores that he is alto-
gether incapable of goeing or being carried upon any Journy
or Voyage without apparent danger of his life which is humbly
Certified to his Lordpp and the Vpper house of Assembly:

Jurat Coram me 6^o die Aprilis Will: Blankinstein
Anno Dni 1684: Geo: Talbott

Upper house Aprill 17th 1684:

This house have admitted of the above deposition in Excuse
to Jacob Young to save him and his bayle for not appearing
this Assembly and send it downe to the Lower house for their
Concurrence & approbacōn

Signed p Order John LLewellin Clke of
Assembly;

The aforegoing Deposition and vote of this house there-
vpon sent downe to the Lower house by M^r John Darnall who p. 24

U. H. J. hath in charge to acquaint them that this house was ready to
 Original. attend them in the grand Committee Mr John Darnall having delivered his Message returns.

Adjourne for an houre.

Upper house mett againe present as before and adjourned till to morrow morning seven a Clock

Aprill 18th 1684:

Upper house mett P^rsent

The Hon ^{ble}	{	Coll Henry Coursey	{	Coll William Stevens
		Coll Tho: Tailler		Majo ^r Nich ^o Sewall
		Coll Vincent Lowe		John Darnall Esq ^r
		Coll Henry Darnall		Coll William Burges

Adjourne to the grand Committee

Upper house mett againe
 Present as before

Upper house Aprill 18th 1684:

Mooved by a member of this house that the land given by William Berry to the Inhabitants of Battle Towne in Calvert County in Consideracōn that the same should be constituted a Towne, will by the Act of Trade passed the last meeting of this Sessions revert to the Donor the Consideracōn being taken away unless remedied by a Supplementary Act.

Voted that the said place is a Convenient scituacōn for a Towne or Port of Trade, and desire that the Lower house will make provision accordingly in the said Supplementary Act it being the humble request of all the Inhabitants there and diverse others in that County the Court house being thereon built at the greate charge of the County:

Voted alsoe that a towne be appointed either at the land
 p. 25 called Mount Calvert or Muffs shell banke both Convenient scituations for Trade as the Commission^{rs} in the said Act of Trade nominated shall direct, to be also considered in the Supplementary Act:

The Lower house is also desired to puse and consider of the severall Peticōns herewth sent them:

Signed p Order Jn^o LLewellin Clke of Assembly

Sent to the Lower house p Mr Sec^{ry} Darnall together wth a Peticōn from the Inhabitants of Pocomoke for a towne at Chip landing, and to vacate the former appointed at Barrows ridge, another peticōn of the Inhabitants of Monokin River to vacate the Towne appointed at the land late of W^m Glanfeild, and

since the land of Cap^t Henry Smith, and that it may be appointed neer the mouth of the River below the flatt vpon Oister shell neck and white hall; also a Peticōn from the Inhabitants of Wiccocomoco and the Meenys for the Continuance of the Act of Trade not haveing (for want of a sufficient number of Commission^{rs}) layd out their Towne, desire that their Towne may be appointed at the place called Lotts wife on the land of William Wright: Another Peticōn from the Inhabitants of Som^rsett County to repeale the Act concerning linnen and woolen Cloth: Alsoe a peticōn from the Inhabitants of Cæcil County to vacate their Towne at Cap^t Johns Creeke and appoint the same at Cæcillton:

U. H. J.
Original.

Mr John Darnall Returned

A Message p Mr James ffrisby and
Majo^r Long:

Lower house of Assembly Aprill the 18th 1684

The Vpper house is desired by this house to nominate some of the members of their house to ione in Committee wth some of the members of this house to drawe such bills, and make such Amendments as were agreed upon by both houses in the Grand Committee:

Signed p Order Charles Boteler Clke of the
Lower house of Assembly

Upper house Aprill 18th 1684:

The Hon^{ble} Coll William Stevens & Mr Secry^r Darnall nominated by this house to ione in Committee wth some of the members of the Lower house to perfect the bills and amendments agreed on by both houses and wilbe ready to meet to morrow morning Eight a Clock

Signed p Ord^r John LLewellin Clke of Assembly

Upper house Aprill 18th 1684:

This house taking into their Consideracon the ruinous state and Condiçōn of the State house altogether unfitt for the Recepcōn and entertainem^t of Assemblys Provinciaall Courts and other publick meetings for which the same was designed, and calling to mind what a vast Sumē of tobacco hath been expended thereon desire the Lower house to consider of some speedy repaires thereof to be offered to this house for their ready Concurrence therein:

Signed p Order John LLewellin Clke of
Assembly:
Sent by Coll Burges
He returned

Ajourned till to morrow morning Eight
a Clock:

U. H. J.
Original.Aprill 19th 1684:

Upper house mett

The Hon ^{ble}	{	Coll Henry Coursey	}	Coll Will ^m Stevens	}	Present
		Coll Tho: Tailler		John Darnall Esq ^r		
		Coll Henry Darnall		Coll W ^m Burges		
		Coll William Digges		Edward Pye Esq ^r		

Proceed to pvse and Examine the debate of the grand Committee of both houses on the seaventeenth instant in
 p. 27 Order to give instructions to the members of this house Committees appointed to perfect the bills and amendments.

A Message by Cap^{ta} John Osbourne and Cap^{ta} Richard Hill:

Lower house of Assembly Aprill the 18th 1684

M^r Thomas Burford M^r John Rousby, Capt John Osbourne and Cap^t Richard Hill nominated and appointed by this house to ioine in Committee with the members of the Vpper house nominated to pfect the bills and amendm^{ts} agreed on by the members of both houses in a Grand Comittee and will meet at Eight a Clock to morrow morning as is desired

Signed p Ord^r Charles Boteler Clke of the Lower house of Assembly:

A breviat of the grand Committee result drawne vp and delivered to Coll William Stevens and M^r John Darnall appointed by this house to joine in Comittee wth some of the Lower house to perfect the bills and amendments agreed on by the Grand Comittee the 17th Instant, for their Instructions delivered to them also, two bills drawne up by this house viz^t An Act prohibiting the Imbezelling his Lōpps Ordnance &c and an Act for an Additionall clause to the oath of ffidelity: And they are Sent out to the Committee:

Adjourne till monday morning Eight a Clock.

Monday Morning Aprill 21th 1684:

	• Upper house mett:	Present
The Hon ^{ble}	Coll Henry Coursey	Coll: William Stevens
	Coll Tho: Tailler	Majo ^r Nicholas Sewall
	Coll Hen. Darnall	John Darnall Esq ^r
	Coll Will ^m Digges:	Coll William Burges:

Then read the severall papers and message brought from the Lower house by M^r Robert Carville M^r Clement Hill, and
 p. 28 M^r Richard Hall on Saturday last after the adjournm^t of this house viz^t

Som^rsett County peticon for a towne at Chip landing thus Endorsed viz^t

Lower house Aprill the 18th 1684: U. H. J.
Original.

Voted necessary that a Towne be sett forth at the Sea side as is desired by this peticōn and the place appointed by this to be betweene the goeing in of Selbys and Cornelius Innis his land.

but for the Towne at Barrows landing voted not to be remooved nor altered.

Signed p Order Cha: Boteler Clke of the
Lower house of Assembly

A Peticōn of the Inhabitants of Zachaja swamp thus Endorsed viz^t

Voted that there be a Towne upon Westwood Manno^r as by this Peticōn is desired:

Signed p Order Charles Boteler Clke of
The Lower house of Assembly

A Charles County peticōn thus Endorsed viz^t

Lower house Aprill 19th 1684:

Voted that a Towne be layd out at the mouth of Nanjemy Creeke or neer Lewis his neck as is desired by the within Peticōn

Signed p Ord^r Charles Boteler Clke of the lower
house of Assembly

Cæcill County petition endorsed viz^t

This peticōn rejected:

Monokin petition Endorsed viz^t

Lower house Aprill the 19th 1684

Voted that this peticon be rejected this house being well informed, that the place where the Towne is, is the most Convenient place in the said River

Signed p Order Charles Boteler Clke of the lower
house of Assembly

The Message is as follow viz^t

p. 29

Lower house Aprill the 18th 1684

Upon reading the Peticōn of the Inhabitants of Som^rsett County for a Towne at the sea board side, Ordered that a Towne be appointed between the goeing into Selbys bay and Cornelius Innis his land at Assateague bay at the discretion of the Comission^{rs} but the Towne at Barrowes landing not to be remooved.

U. H. J. Upon reading the Peticon of Zachaja Swamp (Inhabitants)
Original. in St Marys County and a Towne Ordered at Westwood as is desired.

Vpon reading the Peticon of the Inhabitants of Nanjemy in Charles County Ordered that a towne be sett forth at the mouth of Nanjemy Creeke at or neer Lewis his neck

Vpon motion of the Delegates of Cæcill County a Towne is ordered to be at meeting house point in Sassafrax River in the said County

Upon motion of the Delegates of St Marys County voted that a towne be sett forth at Brittons neck in St Marys County:

Upon motion of the Delegates of Dorchester County voted that a towne be appointed at Daniel Jones plantacōn in Dorchester County on the south side of greate Choptanke.

Upon mocon of the Delegates of Ann Arundell County voted that there be a Towne at West river vpon the land late of John Hillen and the land adjacent.

Upon motion of the Delegates of Calvert County Ordered that there be a Towne at Coxes Creeke on the lands adjacent instead of the Townes appointed by the Act for Trade to be at John Bowlings land.

Also a Towne at Battle Creeke:

Vpon motion of the Delegates aforesaid voted that there be a towne vpon Pigg point vpon Mount Calvert in Petuxent River:

Upon motion of the Delegates of Baltemore Att Middle River on the land of Cornwallis Manno^r or Leakins or both at the discretion of the Comissioners.

Another message from the Lower house p Mr Joseph Wicks and Mr William Hatton after the house adjourned on Saturday last (Viz^t)

p. 30 Lower house of Assembly Aprill the 19th 1684:

Upon peruseall of the Deposition of William Blankenstein sent to this house from the Vpper house, affirming the Inability of Jacob Young to travell to this Assembly. This house doe Concurr with the Vpper house in admitting the said Deposition in excuse of the said Jacob to save him and his bayle for not appearing this meeting of Assembly.

Signed p Order Charles Boteler Clke of the lower house of Assembly.

Som^rsett County peticon for a Towne at Chix landing thus answered viz^t

Aprill 21: 1684:

U. H. J.
Original.

This house doe Concurr with the above vote of the Lower house:

Signed p Order John LLewellin Clke of Assembly

The Inhabitants of Zachaja Swamp Peticon thus Answered (Viz^t)

Upper house Aprill 21th 1684:

This house Concurr with the Lower house as above.

Signed p Order John LLewellin Clke of Assembly

Charles County petition thus answered viz^t

Aprill 21th 1684

Upper house Concurr with the above vote:

Signed p Ord^r John LLewellin Clke of Assembly

Cæcill County Petition rejected by the Lower house as a private peticon and the Burgesses of that County affirming it to be inconvenient laid aside by this house:

Monokin peticon rejected by the Lower house referred till Coll Stevens appeares:

Michael Taney peticon to reserve to him his houses and gardens in Battle towne read and thus subscribed viz^t

Aprill 21: 1684:

In all cases suitable to the Peticōners this house are of Opinion and doe vote that a Clause be inserted in the Supplementary act to the Act of trade reserving to every person his house or houses already built in any the ports or places of trade in the said Act nominated:

Signed p Ord^r John LLewellin Clke of Assembly.

Read an Act for Naturalizacon of Jacob Seth of Calvert p. 31
County

An Act for Naturalizacon of Nicholas Verbraeck

An Act for naturalizacon of Peter Byard, Arnoldus de la Grange, Peter Slayter and Jasper Danires.

All thus Subscribed:

Aprill 21th 1684:

Upper house have Assented:

Signed p Ord^r John LLewellin Clke of Assembly

Adjourne for an houre:

Upper house mett as p Adjournem^t

U. H. J.
Original.

Present

The Hon ^{ble}	{ Coll Tho: Tailler Coll Hen: Darnall Coll Will ^m Stevens	The Honble	{ John Darnall Esq ^r Coll Will ^m Burges Edward Pye Esq ^r
------------------------	--	------------	---

Read an Act touching Judicature passed this house and signed by the Clerke as follow :

Aprill 21: 1684:

Upper house have Assented
Signed p Ord^r Jn^o LLewellin Clke of Assembly

Sent together with these following papers viz^t

Zachaja Swamp peticōn

Charles County peticōn

Michael Taneys peticon

An Act for naturalizacon of Jacob Seth:

An Act for naturalizacōn of Nicholas Verbraeck

An Act for naturalizacon of Peter Byard &c:

To the Lower house by Majo^r Nicholas Sewall and M^r Edward Pye together with the following Messuage :

Aprill 21th 1684:

If the Committee of both houses appointed to perfect the Lawes and amendments agreed on by the grand Committee have transmitted to the Lower house any of their proceedings The lower house is desired to Communicate the same to this house for their Consideracōn soe soone as may be, his Lōpp haveing Signified to this house that thursday next will be the day of Sessions

Signed p Ord^r Jn^o LLewellin Clke of Assembly

Majo^r Nich^o Sewall and M^r Edward Pye Returned:

p. 32

Upper house Aprill 21: 1684:

Mooved by a Member of this house in behalfe of the Inhabitants of Somerset County more particularly of Nantecoke River, that a Towne be appointed at or neer Tixquin on the south side of the said River it being a most convenient scituacōn for a towne or place of Trade and most frequented by shippin of any River in the said County.

Signed p Ord^r Jn^o LLewellin Clke of Assembly

Voted necessary, and that Provision be made accordingly in the supplementary Act to the Act for Trade

Signed p Ord^r Jn^o LLewellin Clke of Assembly

Sent p Coll W^m Stevens to the Lower house.

Upper house Aprill 21: 1684

U. H. J.
Original.

Proposed by a member of this house that a Towne be appointed at the head of Portobacco Creeke most Comodious for the Inhabitants of the fforrest in Charles County from whence comes yearly great quantitys of Tobacco:

Voted necessary and that a Towne be (by the Supplementary Act for Trade) appointed at the head of Portobacco Creeke neer the Church there:

Signed p Ord^r John LLewellin Clke of Assembly:

Sent p Coll W^m Burges to the Lower house:

Thomas Cosey of Charles County peticōn for his Pension being wounded and disabled in the Country service at the ffort thus Subscribed vizt

Upper house Aprill 21: 1684

This house doe think the Peticoner an Object of Charity and that he ought to be allowed his yearly Pension and Arreares as is prayed:

Signed p Order John LLewellin Clke of Assembly

Owen Nerven Peticōn for allowance as post Twelve months thus Underwritten viz^t

Aprill 21: 1684

The Vpper house doe think that the petico^r ought to have some allowance made him as shalbe thought reasonable by both houses

Signed p Ord^r John LLewellin Clke
of Assembly

A Message p M^r ffrancis Hutchins, and Majo^r Thomas Long p. 33
viz^t

Lower house of Assembly Aprill 21: 1684:

In Answere to the Message this day received from the Vpper house p Majo^r Sewall and Edward Pye Esq^r this house doe say they haveing especiall matter to debate did in order thereunto send for the Committe appointed to Joine with the Comittee of the Vpper house to perfect the lawes and amendments agreed on by the Grand Committee, and this house have sent them out againe to meet the members of the Upper house to proceed to the perfecting what matters lye before them, And to report the same to this house, which done this house shall Communicate the same and their result thereupon to the Upper house.

Signed p Order John LLewellin Clke
of Assembly

U. H. J.
Original.

Maj^r Nich^o Sewall: M^r Edward Pye
and Coll William Stevens Returnes
John LLewellins Peticōn for allowance for officiating as
Clerke Assistant to M^r Tho: Grunwin at the Ridge and make-
ing out the Leavy thus Subscribed .

Upper house Aprill 21th 1684:

This house thinke fitt that a reasonable allowance be made
the peticōner in this next publick leavy as is prayed and desire
thereunto Concurrence of the Lower house.

Signed p Ord^r John LLewellin Clke of Assembly

Thomas Casey O[we]n Newen, and John LLewellins peti-
cōns: Sent to the Lower house p M^r Edward Pye.

M^r Edward Pye Returnes:

A message p M^r William Hatton (viz^t)

Lower house of Assembly Aprill 21: 1684:

This house Concurr with the Upper house in their two
votes this day sent that a Towne be appointed at or near
Tixquin on the South side of Nantecoke River, and alsoe at the
head of Portobacco Creeke, And this house desire to know if
the Vpper house doe Consent to the severall votes, and places
agreed on by this house and mencōned in a List sent to the
Vpper house on Saturday last:

Signed p Order Charles Boteler Clerke of the
Lower house of Assembly

p. 34

Vpper house Aprill 21th 1684:

This house doe Concurr in all points with the Lower house
in their Message on Saturday last relateing to Townes accord-
ing to their Severall Votes therein mencōned

Signed p ord^r John LLewellin Clke of Assembly

Sent p M^r John Darnall:

Came Coll William Stevens and M^r John Darnall from the
Committee of both houses appointed to perfect the bills and
amendments agreed on by the members of both houses in the
grand Committee and p^rsented their Report to this house
dated the Nineteenth of Aprill 1684: and Signed p James
Cullen their Clerke: as follow: viz^t

A Committee of the Vpper and Lower houses of Assembly
appointed to perfect the bills and amendments agreed on by
the members of both houses in the Grand Committee:

Mett att M^r Marke Cordea's house the 19th of Aprill 1684:

P^rsent:

U. H. J.
Original.

The Honble Coll William Stevens }
The Hon^{ble} John Darnall Esq } of the Vpper house:

M^r Thomas Burford }
M^r John Rousby }
Cap^t Richard Hill } of the Lower house:
Cap^t John Osbourne }

James Cullin Clke Committee

The s^d Coll William Stevens was Chosen Chaireman of the Committee.

The Committee doe agree and appoint that M^r Thomas Burford draw vp the Law or bill to be entituled an Act touching Judicature and proceedings at law to be drawne according to the sence of Two lawes heretofore made for the said purpose in this Province.

An Act for punishment of Certaine offences against the peace and safety of this province agreed vpon as the bill is now drawne wthout any amendment:

An Act prohibiting the Imbezelling his Lōpps Ordinance Armes, Amunicōn &c^a was read and approved of by this Comītee

Ordered by the Committee that James Cullen drawe anew p. 35 the Act for takeing the oath of ffidelity to his Lōpp and the oath inserting therein this Clause (saveing alwayes my Allegiance which I owe to my soveraigne Lord his Majesty the King of England his Heires and Successo^{rs})

An Act for Recording the Journall of the Lower house to be new drawne and mended by leaving out the word (adjourment) in the new bill:

An Act for killing woolves to be new drawne to be made as the same is in the booke of lawes:

Ordered and agreed by this Committee that the law appointing Court dayes in each County be new drawne and that the word Cæcill may be inserted in the body of the said Act next after and following the word Somersett in the said Act:

The Committee adjourned till Munday Morning seaven a Clock

Munday Aprill the 21: mett and p^rsent as aforesaid the Comittee aforesaid.

Then the following bills being ingrossed were read & Examined by the Committee aforesaid viz^t

An Act for punishing of Certaine offences against the peace and Safety of this Province.

An Act prohibiting the Imbezelling his Lōpps Ordinance Armes Amunicon &c^a

U. H. J.
Original.An Act touching Judicature and proceedings at law not yett
agreed upon by the Com̄ittee

An Act for recording the Journall of the Lower house.

The Oath of ffidelity to the Lord Prop^{ry} of this Province

An Act for the killing of Woolves.

An Act for takeing of an oath of ffidelity to the Lord Prop^{ry}
whereunto the oath aforesaid is annexed.An Act appointing Court dayes in each respective County
within this Province.M^r John Darnall returne. James Cullen Clke Committee

The house adjourne till to morrow Morning Eight a Clock

p. 36

Aprill 22^d 1684Upper house mett P^rsent

The Hon ^{ble}	{	Coll Henry Coursey	The Hon ^{ble}	{	Coll William Stevens
		Coll Tho: Tailler			Major Nicholas Sewall
		Coll Vincent Lowe			John Darnall Esq ^r
		Coll Henry Darnall			Coll William Burges
		Coll William Digges			Edward Pye Esq ^r

His Lōpp Came into this house

And mooves that by the Act for Support &c^a it was Enacted that his Lōpp Cæcilus &c of noble memory should receive two shillings p hoggshead dureing his life and One Cropp after, and that in the yeare 1676: his Lōpp now Lord Prop^{ry} had granted him Two Shillings p hhd, which by Vertue of an Act of gratitude he received, but goeing for England was charged by his Lōpps Sister for the Two shillings p hhd for the Cropp after the decease of his said Lōpp: Cæcilus &c^a his Lōpp affirms that he hath never recēd the said Two Shillings p hhd for the Cropp: after his ffather decease, but hath received the Two shillings p hoggshead granted himselfe by the Act of gratitude As p his booke of Entrys will appeare, his Lōpp desire this house to Certifie there was an Act which gave the same to his Lōpp and that his Lōpp hath never received any more then Two Shillings p hhd which will plainly appeare to this house.

Wherewith this house was fully satisfied and vote the draweing vp of any Instrument for that purpose to pass the greate Seale of this Province and be recorded in the Councill booke.

A Message p M^r Thomas Burford M^r John Rousby & Docto^r John Brooke being severall bills which they deliver viz^t

An Act against Excessive Usury }

The Lower house have assented }

Signed p Order
Cha: Boteler Clke of the Lower
house of Assembly

An Act ascertaining the true force and validity of the
Lawes of this Province:

U. H. J.
Original.
p. 37

Aprill 22th 1684:

The Lower house have assented: Signed p Ord^r Charles
Boteler Clke of the Lower house of Assembly

An Act for appointing Court dayes in each respective
County

April 22: 1684:

The Lower house have assented: Signed p Ord^r Cha:
Boteler Clerke of the Lower house of Assembly

An Act for killing of Wooleves

Aprill 22: 1684:

The Lower house have Assented. Signed p Order Charles
Boteler Clk of the Lower house of Assembly

An Act for Recording the Journall of the Lower house.

Aprill 22^d 1684:

The Lower house have assented: Signed p ord^r Cha:
Boteler Clke of the lower house of Assembly

An Act for punishm^t of certaine Offences against the peace
and Safety of this Province thus Subscribed viz^t

Aprill the 22^d 1684:

The lower house have assented: Signed p Ord^r Cha:
Boteler Clk of the Lower house of Assembly

Adjourne till after dinner

Upper house mett as p Adjournm^t p^rsent as before Except
M^r John Darnall.

Proceed to read the severall bills brought in this morning
p M^r Thomas Burford, M^r John Rousby and Docto^r John
Brooke viz^t

1: An Act against Excessive Usury read the first time and
voted a second reading:

2: An Act ascertaining the true force & validity of the
lawes of this Province read the first time and Voted a Second
reading:

3: An Act for appointing Court dayes in each respective
County read the first time and passed the house in the words
following viz^t

U. H. J.
Original.
p. 38

Aprill 22th 1684:

Upper house assented.

Signed p ord^r Jn^o LLewellin Clke of Assembly.

4: An Act for killing of Woolves Read the first time and voted a second reading:

5: An Act for the Recording the Journall of the Lower house read the first time in this house and passed in these words viz^t

Aprill 22th 1684:

Upper house have assented. Signed p Order John LLewellin Clke of Assembly

6: And Act for punishment of Certaine Offences against the peace and safety of this Province, read the first time and voted a second

Proceed to read the second time the said bills not yett assented to by this house:

1: An Act against Excessive Usury passed this house in these words Viz^t

Aprill 22th 1684:

Upper house have assented. Signed p ord^r John LLewellin Clke of Assembly

An Act ascertaineing the true force and vallidity of the lawes of this Province.

Voted that the temporary lawes haveing allowed them three yeares time for Tryall, his Lōpp may have the same time to Signifie his approbacōn or disassent to any lawes with which amendm^t this house will pass the bill:

A message p M^r William Hatton and is to desire the old booke of lawes which is delivered to him:

3: An Act for killing woolves read the second time Voted that the Act for killing Woolves made Anno 1671: is perpetuated Anno 1676: and as soe ought to remaine unless the same be thought a needless law and then it ought to be repealed before such time as it cann be reduced to its former Temporary Estate:

4: An Act for punishment of Certaine Offences against the peace and safety of this Province.

p. 39 Voted that the Act made 1649: & 1650 stand as it is, but that provision be made by a Supplementary Act to restraine the punishment of the Delinquents to onely One, and noe more of those Severall therein named at the discrecōn of the Court and as the demeritts of the Case shall require.

Upper house Aprill 22^d 1684:

U. H. J.
Original.

Upon reading the severall Bills brought to this house this day by Mr Thomas Burford Mr John Rousby and Docto^r John Brooke, this house have passed that for appointment of Court dayes in each respective County, that for recording the Journall of the Lower house, and that against Excessive Usury, but to the other three bills returne Answers as follow (viz^t)

Concerning the bill Assertaineing the true force and validity of the lawes of this Province, this house doe say that Three yeares time being given for Tryall and Experience of the Temporary lawes Wee cannot in reason propose lesse time to his Lōpp: to Consider of, what perpetuall lawes shalbe p^rsented to him to signifie his approbacōn or disassent thereunto: And with this amendment only this house will pass the said bill:

As to the bill for killing of Woolves this house doe say that the Act for killing of Woolves made 1671: although temporary was perpetuated Anno 1676: And as such ought to remaine among the perpetuall lawes, unless the same be deemed a Needless or Useless law, and then it ought, to be repealed before such time as it can be reduced to its former Temporary Estate.

And as to the other bill for punishm^t of certaine Offences &c this house doe say that the Act made Anno 1649: & 1650: is sufficiently and well enough expressed and doe conceive that the maine end and designe of both houses in the Grand Committee in amendment of the same was onely to take off the severity of the punishment of Delinquents therein p^rscribed leaveing it to the discretion of the Justices to inflict any one or more of the severall punishm^{ts} therein numerated which this house is willing may be moderated by awarding one of the said punishm^{ts} and noe more at one time to be inflicted vpon any Delinquent at the discretion of the said Justices, and as the demeritts of the Cause shall require And desire the Lower house will provide accordingly by a Supplementary Act to pass this Sessions and hereunto desire the Concurrence of the Lower house

The aforegoeing Message & six bills sent to the Lower house by Major Nich ^o Sewall and Coll W ^m Burges	} Signed p Ord ^r John LLewellin Clke of Assembly
---	--

A Message p Cap^t Henry Smith, Mr Will^m Pearce and Docto^r John Brooke.

Lower house of Assembly Aprill 22^d 1684:

This house haveing by a Message of the 14th instant desired the Upper house to appoint some of their Members to state

U. H. J. the Publick Accounts of this Province, which not being then
Original. done for reasons given by the Vpper house in their Answere
to the said Message this house doe reminde the Vpper house
thereof and desire that some members of this Vpper house
may be appointed to joine with some of the members of this
house to the purpose before by this house desired.

Signed p Order Charles Boteler Clke of the Lower
house of Assembly

They alsoe brought wth them Two bills viz^t
An Act touching Judicature and proceedings at law:
An Act touching the leavying of warr and defraying the
publick Charge of this Province.
Majo^r Nich^o Sewall and Coll Burges Returnes

Upper house of Assembly Aprill 22: 1684

The lower house is desired to Expedite to this house what
bills or other busines they have before them, this night; his
Lōpp now in the Upper house haveing signified to this house
his resolucōns of meeting both houses to morrow morning to
discourse with them fully his sentiments vpon the severall
bills prepared in order to putt a speedy end to this Sessions

Signed p ord^r John LLewellin Clke of Assembly

Sent p Coll W^m Stevens

p. 41 A Message by Capt John Osbourne & M^r Leonard Greene
viz^t An Act touching Judicature and proceedings at law
drawne vp p this house wth the following Message (viz^t)

Lower house of Assembly Aprill 22th 1684:

This house haveing received from the members of their
house joined in Com̄ittee with the Hon^{ble} Coll Stevens and
John Darnall Esq^r a bill drawne touching Judicature and pro-
ceedings at law which this house Conceived was done accord-
ing to the agreem^t of the Grand Committee, and therefore
passed the same for the Upper houses Assent thereunto:
And therefore say they cannot Assent to the bill sent from
the Upper house for that purpose in regard that bill leaves
too much to discretion which was the Inconveniency designed
to be p^rvented.

Signed p order Charles Boteler Clke of the lower
house of Assembly.

Upper house Aprill 22^d 1684:

The Hon^{ble} Coll William Digges, and Coll William Burges
nominated and appointed by this house to ioine in Committee

with some of the members of the lower house to inspect and State the publick Accounts to morrow morning seaven a Clock: U. H. J.
Original.

Signed p ord^r John LLewellin Clke of Assembly

Sent by Coll William Digges

Coll William Stevens Returned

A message by Majo^r Thomas Long and M^r ffra: Hutchins

Lower house of Assembly 22th Aprill 1684:

This house have appointed Cap^t Henry Smith M^r Clement Hill and M^r ffrisby to ioine in Committee with the Hon^{ble} Coll William Digges and Coll William Burges by the Upper house appointed to settle State and inspect the publick Acc^{ts} of this Province and shall be ready to meete at seaven a Clock to morrow morning as is Desired

Signed p Order Charles Boteler Clke of the Lower house
of Assembly.

Adjourne till to morrow morning seven a Clock.

Vpper house Mett Aprill 23th 1684: p^rsent:

The Hon ^{ble} {	The Right Hon ^{ble} the Lord Prop ^{ry}	
	Coll Henry Coursey	Coll William Digges
	Coll Tho Tailler	Coll William Stevens
	Coll Vincent Lowe	Majo ^r Nich ^o Sewall
	Coll Henry Darnall:	Coll Will ^m Burges.
	Edward Pye Esq ^r	

A Message from the Lower house by Cap^t John Osbourne p. 42.
& M^r Leonard Greene which they say was brought last night
but this house was adjourned: viz^t

Lower house of Assembly Aprill 22th 1684.

All bills which have beene assented to by this house are already transmitted to the Vpper house, there are severall other Bills which have had their first reading in this house, and so soone as perfected shalbe p^rsented to the vpper house for their Assent

Signed p Order Charles Boteler Clke of the lower
house of Assembly

A message p Cap^t Richard Hill and M^r ffrancis Hutchins

Lower house of Assembly Aprill 23th 1684

In answer to the Message Yesterday brought by Coll Burges and Majo^r Sewall concerning severall bills sent by this

U. H. J. house to the vpper house for their Assent: As to the Ascer-
 Original. taining the true force and vallidity of the Lawes of this Province
 wherein the vpper house were pleased to say they could not
 in reason propose less time then Three yeares to his Lordpp
 to Consider off his approbacōn or dissassent to such perpetuall
 lawes as should be presented to his Lōpp, this house is not a
 little surprised therein in regard the bill tendred by this house
 for the Assent of the Vpper house, was but a meer transcript
 of the like bill sent from Upper house for this houses Assent
 thereunto To which this house had noe reason to doubt of the
 Vpper houses readines to pass the same, Especially for that
 the said Upper house of Assembly by a Message of the 17th
 of September 1681: were pleased to acquaint this house that
 his Lōpp Comanded the vpper house to signifie to this house
 that his Lōpp did promise and ingage that in his absence out
 of this Province within Eighteen months after the passing of
 any lawes of this Province by the Upper and lower houses of
 Assembly His Lordpp would signifie his Assent or dissassent
 p. 43 thereunto. In Confidence whereof this house was induced
 freely to offer the said bill for the unquestionable assent of the
 Upper house; Since more time in the said bill was Offered
 for his Lōpps Assent or dissassent then in the said Message
 was intimated to be his Lordpps pleasure.

And as to the bill for punishm^t of Certaine Offences &c
 This house doe agree that the maine end and designe of both
 houses in the Grand Comītee was to take off the severity of
 inflicting severall & many punishments for One offence and
 still hope that the bill humbly offred by this house to the vpper
 house will answere that end, being perswaded that there is
 noe alteracōn betweene the Act now offered and the former,
 but in that particular, and were this house sensible of any
 materiall deviation from what was agreed on they would very
 readily amend.

As to the bill for killing of woolves this house caused that
 bill to be drawne and passed this house pursuant to the agree-
 ment of the grand Committee of both houses

Signed p ord^r Cha: Boteler Clke of the vpper house
 of Assembly.

Received a paper from his Lōpp viz

Gentlemen of the Vpper
 house of Assembly

I have thought fitt to signifie unto you by this that haveing
 seene in yo^r house some bills lately sent you by the Lower
 house in which there are some alteracōns desired by the Lower
 house to be made in some of the antient perpetuall Lawes of

this province I must for the quicker dispatch of the business of this Assembly (I haveing but few dayes more to spend with both houses) declare that many of those alteracōns inserted in the said bills are such as I shall not be willing to allow of, and because I would have noe bills p^rsented unto me by this Assembly the day of the sessions but such as I may safely and be willing to sett my hand unto. I doe now declare what alteracons I will allow off, and to which I will be ready to sett my hand when the bills are p^rsented desireing that what I now declare by this may not be drawne into an example and become p^rsidentiaall in future Assemblys for my doing this (as I have said before) is onely to putt a speedy end to this meeting w^{ch} my other affaires forces me too: U. H. J.
Original.

ffirst as to the alteracon desired to be made in the Act touching Judicature, It is not safe to have Justice administred according to the lawes of England, where the lawes of this province are silent, without due regard had by the Governo^r or Cheife Judge and the Justices in Court to the Consistency of such lawes of England to the Constitucon and p^rsent Con-dicon of this Assembly, it seeming to me unreasonable that since his Majestie of ever blessed memory out of the fullness of his Royall power was graciously pleased to permitt me with the consent of the ffreemen to make such wholesome Lawes as should be Consonant to reason and not repugnant to the lawes of England, I should by an Act obleige and tie vp the ffreemen of this province to be concluded by such of the lawes of England as may ruine them, or at least be greatly injurious in severall respects to them, I am therefore willing to admitt of this alteracon, that where the Lawes of this Province are silent Justice may be administred according to the lawes of England, if the Governo^r or Cheife Judge and the Justices of my Court shall find such lawes Consistent with the Con-dicon of this Province: To a Bill with this alteracon I will sett my hand, but not otherwise. p. 44

Secondly. The alteracōns desired in the bill for the punishing of Certaine Offences against the peace and safety of this Province, I doe except against being willing to allow of this amendment onely that where it is left to the Court to order one or more of the punishm^{ts} enumerated in the old Act for punishing &c^a That the Court shalbe restrained to one or two of the said punishm^{ts} in the said Act, with this amendment and noe other alteracon I shalbe Contented and will sett my hand to a bill to be drawne up for that purpose onely and not otherwise. p. 45

Thirdly: To the bill touching the leavying of warr and defraying the publick Charges of the province sent vp to you from the Lower house, I conceive it time lost for you to

U. H. J. meddle in it, for the old Act is at this time suspended and
Original. will be soe perhapps dureing my life soe that neither the Gent^l
of the lower house nor yo^rselves need bee fearfull or jealous
of me in the Execucon of that Act, but were it not suspended,
and that I should vpon any warr that might happen have occa-
sion to make use of it I doe here declare that as I have had
soe I still shall have a desire that an Assembly may be called
to be p^rsent at the defraying of the Charge of any such warr,
soe desirous I am of giveing all manner of Satisfaccon in that
particular to the ffreemen of my Province

Copied out & sent to the lower house p Coll Thomas
Tailler and Coll W^m Stevens wth this following Message
annexed.

Upper house Aprill 23th 1684:

This house haveing this morning received a paper from his
Lōpp have Caused the same to be Copied out as before and
Communicated the same to the Lower house.

Signed p ord^r John LLewellin Clke of Assembly

Coll Tailler and Coll Stevens Returned

And the house Adjourne for an houre.

Upper house againe mett and p^rsent as before:

Upper house of Assembly Aprill 23th 1684:

His Lōpp being p^rsent in this house since the receipt of the
last Message p Cap^t Richard Hill, and M^r ffrancis Hutchins
was pleased to declare as follow (viz^t)

To the bill for Assertaineing the true force and validity of
the Lawes of this province, I give this Answere, that though I
owne my promise and engagement to both my houses of
Assembly made in September 1681: viz^t that in my absence
out of this Province, I would signifie my assent or dissassent to
p. 46 any lawes within Eighteen months. Yett doe I not think it
convenient to obleige my heires and Successo^{rs} by an Act to
those inconveniences and mischeifes that may happen by their
assenting or disassenting to any lawes within Twenty monthes,
that shalbe made perpetuall dureing such their absence.

The bill sent you by the lower house for the makeing Tem-
porary that law touching woolves, if it be not deemed a good
law, lett it be repealed, for soe it must be afore it cann be
reduced to its first State, And for any of those other Acts
made perpetuall in 1676: viz^t the Act for Two shillings p
hoggshead And the Act for empowering the Governo^r and
Council to make warr or peace &c^a I am ready to give both
houses such satisfaccon as in reason they cann desire at my
hands

Signed p Order John LLewellin Clke of Assembly

Sent to the lower house p Majo^r Nich^o Sewall and M^r Edward Pye: They Returne: U. H. J.
Original.

A Petition of the Inhabitants scituate vpon the south side of Potapsco River and others holding land there, desireing to bee restored into the County of Ann Arundell from whence at first they were tak into Baltemo^r County by reason of their greate distance from and in commodious wayes of goeing to the County Court of Baltemo^r &c^a read and rejected, This house Considering that Baltemo^r County being already very small and for other motives the same remaine as now it is.

John Saxon peticon, setting forth that he had been allowed yearly:

as Drummer to the Prov ^l Court	2000
as Drummer to the Assembly	1000
as Doore Keeper	800

and his Expences:

That at the ridge he was allowed onely 2000^{lb} tob: and did then & at Calverton Prov^l Court beare his owne Expences
read & subscribed viz^t

Aprill 23th 1684

P. 47

The Upper house doe thinke it but reasonable that the Petico^r have his full allowance, and referr the same to the Committee of Accounts for that purpose:

Signed p ord^r John LLewellin Clke of Assembly

A Message from the Lower house p M^r Robert Carville for the Roll of lawes 1682: wherein the last reviveing Act is: The same are delivered to him p Majo^r Nicholas Sewall Sec^{ry} Adjourne till to morrow morning seven a Clock

Aprill 24th 1684:

Upper house mett p^rsent

The Hon ^{ble}	Coll Henry Coursey Coll Tho: Tailler Coll Vincent Lowe Coll Henry Darnall	and	Coll William Digges Coll William Stevens Majo ^r Nicholas Sewall Coll William Burges
------------------------	--	-----	---

M^r Joseph Wicks and M^r ffrancis Hutchins bring from the lower house an Addiconall and Supplementary Act to the Act for Advancement of Trade

Read the first time and passed thus:

Aprill 24th 1684:

Upper house have assented

signed p ord^r Jn^o LLewellin Clke of Assembly

Adjourne for an houre

Upper house mett p^rsent as before:

U. H. J.
Original.

Upper house Aprill 24th 1684:

The Additionall and supplementary Act to the Act for trade hath passed this house and is now sent back to the Lower house who are desired to returne to this house the severall Bills before them for Naturalizacon with their assent thereunto

Signed p order

John LLewellin Clke of Assembly

Sent together with the said bill to the Lower house p Coll W^m Stevens, who affirmeing that some amendm^{ts} should be made in the said bill, hath leave to moove the same to the house

p. 48 A Message by Cap^t Henry Smith and M^r William Hatton being an Act for reviveing the Temporary lawes of this province.

The same Read

A Message p M^r Thomas Burford M^r Robert Carville and M^r John Rousby being three bills for Naturalization viz^t

An Act for naturalization of Jacob Seth signed as follow viz^t

Aprill 24th 1684:

The Lower house have Assented. Signed p Ord^r

Cha: Boteler Clke of the Lower house of
Assembly:

An Act for Naturalizacon of Nich^o Verbraeck signed as follow viz^t

Aprill 24th 1684

The Lower house have assented: Signed p order

Cha: Boteler Clke of the Lower house of
Assembly

An Act for Naturalizacon of Peter Byard Arnoldus de la Grange, Peter Slayter, and Jasper Dancres Signed as follow (viz^t)

Aprill 24th 1684:

The Lower house of Assembly have assented

Signed p ord^r Cha: Boteler Clke of the lower
house of Assembly

Together with the following Message

Lower house of Assembly Aprill 24th 1684:

Upon reading the severall bills of naturalizacon of the severall persons therein named, This house have considered that there hath beene usually payd to the Speaker of the house

of Commons in England a Considerable ffee vpon the passing any private Act this hous hav: seriously debated the same have resolved;

U. H. J.
Original.

That all persons that shalbe naturalized this p'sent Sessions of Assembly doe respectively pay unto the Speaker of this house the sume of Twelve hundred pounds of tobacco for the ffees of their naturalizacon and that the like ffe be paid to the Speaker of the Upper house for the future

p. 49

And that the ffee of the Clerke of the Lower house may be Three hundred pounds of Tobacco for every naturalizacon and noe more:

And this house desires the Concurrence of the Upper house herein:

Signed p order Charles Boteler Clke of the lower
house of Assembly

Upper house Aprill 24th 1684:

Upon reading the bill for Reviveing the Temporary lawes of this Province this house doe say that the words (soe farr as the Court shall judge them not inconsistent with the Condicon of this Province which is not to stand revived) relateing to the Act Concerning proceedings at law, ought to be raced out of the said bill: And the Act for killing of woolves is a perpetuall law so made Anno 1676: and cannot properly be brought into a bill of Reviveall but if both houses shall deeme the said Act unnecessary or of noe use, the same ought to be repealed.

This to be Considered and accordingly provided for by the lower house in the reviveing Act before this house cann thinke of passing the same soe absolutely contrary to the result of his Lōpp upon sound reasons given to this house, and Communicated to the lower house in a Message from hence Yesterday.

The Lower house is desired to have their Assent to the bill for Naturalizacōn of Jacob Seth (imperfectly sent vp to this house) now plainly expressed and returned to this house.

Signed p Order John LLewellin Clke of Assembly

Sent together wth the Act for Reviveing & the bill for naturalizacōn of Jacob Seth to the Lower house p Coll Henry Darnall

Coll Darnall Returned.

Upper house Aprill 24th 1684

p. 50

His Lordpp haveing referred the day of Sessions appointed to be this day untill Saturday next This house have determined to heare the Errors here depending argued before them some time to morrow, if the lower house cann Conveniently

U. H. J. spare their members therein concerned as Attorneys on either
Original. side to which this house desire an Answer:

Signed p ord^r John LLewellin Clke of Assembly

Sent p M^r John Darnall

Came M^r Robert Carvile and made Report that in answer to the Last Message sent them concerning tryall of the writts of Error the day of Sessions being soe neer, and the house haveing much busines before them could not pursue the same without their Clerke who was an Attorney concerned, but to morrow, if they could dispatch their business and conveniently spare their Clerke in the afternoone they would give this house convenient notice thereof

Adjourned till to morrow morning Eight a Clock.

Upper house mett Aprill 25th 1684.

P^rsent

The Hon ^{ble}	{	Coll Henry Coursey	{	Major Nich ^o Sewall
		Coll Vincent Lowe		M ^r John Darnall
		Coll Henry Darnall		Coll W ^m Burges
		Coll Will ^m Digges		M ^r Edw ^d Pye

Cap^t Richard Hill and M^r William Peerce from the Lower house bring the Two following bills viz^t

An Act for naturalizacon of Jacob Seth

An Act for reviveing the Temporary lawes, now drawne vp according to the vote of this house Yesterday.

both signed as follow viz^t

Aprill 25th 1684

Upper house have assented

Signed p Ord^r

John LLewellin Clke of Assembly

p. 51 M^r Robert Carvile came from the Lower house with the Supplementary Act for Trade, the same read and sent to the Lower house together with the reviveing bill The Act for naturaliz^a of Jacob Seth, the Act for naturalizacon of Nicholas Verbraek & the Act for Naturalizacon of Peter Byard &c

A Message from the Lower house p M^r Tho: Burford viz^t

Lower house of Assembly Aprill the 25th 1684

The members of this house that are Attornys In the tryalls vpon writts of Error in the Upper house have now the leave of this house to attend the same as was desired by the Upper house Message Yesterday

Signed p ord^r C Boteler Clke of the

Adjourne till the afternoone
to heare the Error^{rs}

Lower house of Assembly

Mett againe as p Adjournm^t

U. H. J.
Original.

Present

The Hon ^{ble}	{	Coll Henry Coursey	{	Majo ^r Nicholas Sewall
		Coll Vincent Lowe		John Darnall Esq ^r
		Coll Henry Darnall		Coll Will ^m Burges
		Coll W ^m Stevens		Edward Pye Esq ^r

A Peticon p^rferred by M^r Phillip Lynes to his Lōpp dated the Twentyeth of ffebruary last and his Lōpps ord^r for Supsedeas and writt of Erro^r to have the merritts of the cause brought to a hearing before this house this Assembly read to this board. M^r Robert Carville vpon motion made is admitted to plead in this house as Attorney for M^r Phillip Lynes. He sayes that the members of this houses were all or most of them Judges of the Prov^l Court, from whose Judgement they now appeale hither, and he humbly Conceives that it ought not properly to come before this house, Unless his Lōpp himselfe were p^rsent.

The house proceed and order the reading the Transcript of the Provincia^l Court and the Erro^{rs} therevpon.

Put to the Vote whether the merritts of the Cause with p. 52 Evidences or the Erro^{rs} shalbe brought to tryall in this house The Consideracōn whereof referred till to morrow.

An Act for Naturalizacon of Nicholas Verbraeck

An Act for Naturalizacon of Peter Byard & al

An Act for reviving the Temporary lawes:

A Supplementary Act to the Act for Trade

Upper house Aprill 25th 1684

The necessary repaires of the State house recomended by this house to the Consideracon of the Lower house: This house desires may be Expedited and sent vp to this house for their Concurrence:

Signed p order
John LLeuellin Clke of Assembly.

The aforegoing bills and this Message sent to the Lower house p Majo^r Nicholas Sewall & M^r Edward Pye:

They Returne:

Adjourne till to morrow morning Seven a Clock:

Aprill the 26th 1684:

Upper house mett.

The R^t Hon^{ble} the Lord Prop^{ry}

The hon ^{ble}	{	Coll Henry Coursey	The hon ^{ble}	{	Coll W ^m Stevens
		Coll Thomas Tailler			Maj ^r Nicholas Sewall
		Coll Vincent Lowe			Coll William Burges
		Coll Henry Darnall			M ^r John Darnall

Present

U. H. J. Shawe }
Original. & }

judgm^t At which day before the said Lord Prop^{ry}
Lynes } in his upper house of Assembly at the City
of S^t Maries came as well the said Ralph Shawe as the said
Philip Lynes by their Attorneys. Whereupon as well the
Record and process aforesaid, and the judgement thereon given
as the matter aforesaid for Error assigned being by the s^d Lord
Prop^{ry} then and there seene, heard, diligently examined and
fully understood, and mature deliberation being thereon had
p. 53 It seemeth to the s^d Lord Prop^{ry} in his upper house of Assem-
bly afores^d that in the Record and process aforesaid, and in
the rendring of judgem^t aforesaid, it is in noe wise Erred,
therefore It is considered that the judgem^t aforesaid in all
things be affirmed, and stand in its full force and effect, the
said causes or matters aforesaid by the s^d Philip Lynes for
Error assigned in any wise notwithstanding; And it is further
considered that the s^d Ralph Shaw recover ag^t the said Philip
Lynes his cost & charges in the behalfe expended according
to the forme of the Statute in the case made and provided

The said Ralph Shaw p Thomas Burford Esq^r his Attorney
prayeth the taxing of costs inter him & Lynes upon argueing
the writt of Error in this house, and that he may have thereof
Execution w^{ch} was granted him and are as foll. viz^t

Shaw & }	
Lynes }	Costs to Shawe—
To copy of the transcript of the Pro ^{ll} Court besides=	L tob 4656
To copy of Error ^s filed by Lynes—	866
To fil plea	24
To fil bill costs	48
To copy ditto	48
To Entry judgem ^t	48
To copy ditto	48
To writt of hab. fac possionem	48
To writt of Execution	84
To Doore keepers ffees	100
To Attorneys ffees	1600
	7606

John LLewellin Clerk of this house presents to the house a
list of ffees due to him from said Philip Lynes upon the said
writt of Error which he prayes may be entred in this Journall,
and execution thereupon awarded him w^{ch} was granted as
foll: viz^t

Shawe	} costs to	L to b	U. H. J. Original.
& Lynes			
To pet & ord ^r for tryall		96	
To fil writt Err ^r sci fa & ret.		192	
To fil transcript Prov ^{ll} Court		4656	
To copy ditto		4656	
To fil Erro ^{rs}		866	
To summons 6 pson Evidences		228	
To copy plea		24	
		10718	

adjourne for an houre

Upper house Mett again as p Adjournm^t
Present as before

P. 54

Upper house of Assembly
Aprill 26th 1684

The publick leavy of this Province haveing been usually stated by the Clerke of this house by ord^r and appointm^t of his Lsp: wherein greate care paines and labour hath been used, This house vote and think necessary that a ffee or gratuity for the same be settled upon the said Clark, or that the lower house would now and in future Assemblies see the same effected, before the adjournm^t prorogation or dissolution of such Assembly

Signed p ord^r J LLewellin Cl of Assembly

Came M^r Thomas Burford Attorney for Michael Ashford Lessee of Ralph Shaw and prayed his Lsps writt of hab: fac: possessionem to issue forth of this house to the s^d Ashford for the land & p^rmisses in dispute betweene him and Lynes, which was accordingly granted & ordered to be issued together with Execution for his charges—

The foregoeing Message concerning the publick leavy sent to the Lower house p Coll Digges, who hath also in charge to acquaint them that his L^p is now ready in this house to receive them together with what bills they have to present his L^p: in ord^r to conclude this Session.

Coll Digges ret. the Lower house will send answ^r Came M^r Robert Carville and Capt John Osbourne from the Lower house with the bill for the publick leavy w^{ch} they p^rsent to this house and in answer to the last Message from this house say, that in allotting the payments of the publick leavy there will be some considerable surplusage fraction which they are will-

U. H. J. ing may be deposited in the hands of the Clark of this house
Original. to be accomptable for the same to the next Assembly, and to
be allowed thereof what he may deserve for stateing & make-
ing out the leavy this yeare if sufficient in the said ffraction to
doe it, otherwise to have made good to him in the next publick
p. 55 leavy what shall now faile short of his deserts therein

They returne to their house

The Act for the publick charge read and sent back to the
Lower house by M^r Secry Darnall for the notes thereupon
taken by the Committee of Acco^{ts} w^{ch} this house desire to
puse—

he Returnes from the Lower house who will send to this
house the proceedings of the Committee

The booke of Lawes and Journalls of the Lower house
Anno 1681: & 1682 brought into this house by M^r James
ffrisby a member of the Lower house, who haveing delivered
the same returnes back to the house—

Cap^t Richard Hill and Doct^r John Brookes from the Lower
house came and presented to this house (viz^t)

An Act for takeing the oath of ffidelity to the Lord Prop^{ry}
together with the oath of ffidelity—not signed by the Lower
house

Also the proceedings of the Committee of Acco^{ts} w^{ch} have-
ing delivered they returne to their house—

The Act for payment and assessing the publick charge of
this Province read and passed this house in manner foll: (viz^t)

Aprill 26th 1684:

Upper house have Assented.

Signed p ord^r

J LLewellin Cl of Assembly

and sent downe to the Lower house by Coll William Digges
who is ordered to moove the lower house to expedite what
business lay before them, and to come with what bills had
passed this Sessions to the Upper house with all speed, his
L^{sp} Staying there to receive them

Coll Digges haveing accordingly delivered his Message
Returnes and takes his place in this house

The Speaker and Members of the Lower house accordingly
haveing prepared themselves, came from their house and were
admitted into this house, where the Speaker in the behalf of
the house Salutes his L^{sp} and presents him with these foll bills
(viz^t)

p. 56 An Act Against Excessive Usury

An Act for appointing Court daies in each respective
County wthin this Province—

An Additionall and Supplementary Act to the Act for ^{U. H. J.}
Advancem^t of trade— ^{Original.}

An Act for Reviveing the Temporary Lawes of this Province

An Act for paym^t & assessing the publick charge of this Province.

An Act for Recording the Journall of the Lower house

An Act for Naturalization of Nicholas Verbraeck

An Act for Naturalization of Jacob Seth

An Act for Naturalization of Peter Byard &c^a

To all w^{ch} bills his L^{spp} passed his Assent and signed the same in manner foll: viz^t

Aprill the 26th 1684:

Wee will these to be Lawes C. Baltemore

Signed also & Sealed by the Chancelo^{rs} or Keepers of the Seale as foll viz^t

April 26: 1684:

Published under the greate Seale

Henry Darnall
W^m Digges

His L^{spp} in presence of both houses Declares his generall disassent to all the Lawes made and passed in his absence out of this Province by his deputy, Thomas Notley Esq^r in the yeare 1678: save onely such of them as his L^p since his arrivall had formally assented unto Soe that all other of the said Lawes are from henceforth Null and void to all Intents and purposes—

Hee also advises the Lower house to be at the charge of ^{p. 57} haveing fairely transcribed into a Booke for that purpose all the Lawes of the Province for their owne use and their Committees upon all occasions, for that he had strictly enjoined his Secrys not to Suffer the Booke belonging to the Office, or the Originalls themselves to goe forth of the Office—

As concerning the words (more or less) in all pattents and Grants of land within this Province, often disputed amongst the Inhabitants, His L^p to remoove all controversies or disputes of that nature for the future doth in presence of both houses declare and make knowne, that by the same shall be construed and taken Tenn in the hundred over or und^r

To Conclude, his L^{spp} further signifies to and in the presence of both houses, that whereas there is An Act of Assembly of this Province for takeing the Oath of ffidelity to his L^{spp}: His L^{spp} doth expect all ready and due compliance therewith, and that every Member of Assembly & this his L^{sps} greate Councill shall before they be admitted to sitt

U. H. J. there, take the said oath. And whereas severall of the Lower
Original. house have this Sessions rudely presumed to come before his
L^p in his upper house with their hatts on, which his L^{spp} for
dispatch of business and other reasons to himself best knowne
had now dispensed with, he hoped their will be more modesty
and better manners hereafter used, for that indeed his L^{spp}
would not any longer endure the same.

And soe his L^{spp} prorogued the Assembly and the same is
hereby prorogued unto the first Tuesday in Aprill Anno Dni
1685

John LLewellin Clk of Assembly

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, April 1-26, 1684.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE LOWER HOUSE OF ASSEMBLY.

Journal
of The Lower house of Assembly
Att a Sessions Begunn

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Journal.
p. 1

And Houlden at the Ridge in An Arrundell County, vpon the second day of October In the Eighth Yeare of the Dominion of the [Right] Hono^{ble} Charles absolute Lord & proprietary of the province of Maryland & Avalon Lord Barron of Baltemore &c Annoq Do

And there Continued vntill the Sixth day of Novem ffollowing And then Adjourned Till the first Tuesday [in Aprill next] And by his Lōps proclamaccōn Beareing Date the 15th ffebruary In the yeare aforesd. Conveened to the Cytty of St Maryes vpon the ffirst day of Aprill In the yeare of our Lord 1684. At w^{ch} day: (viz)

Tuesday Aprill the first 1684

Mr Speaker and the members, then p^rsent, mett at the Court house in the Cytty of St Maryes, And Adjourn'd Till To morrow Twelve of the Clock.

Wedensday Aprill the 2^d 1684

The house Called, and all present as yesterday:

Then was read what was done Yesterday:

Then Mr Speaker and the rest of the members Adjourn'd the house till to morrow Twelve of the Clocke.

Thursday Aprill the 3^d 1684:

The house Called and all p^rsent as yesterday:

[Then w]as read what was done yesterday:

Then [Mr] Speaker and the rest of the members Adjourne till To morrow Twelve of the Clocke:

Fryday Aprill the 4th 1684

Then Mr Speaker and the members of the Lower house were by a messenger Conveened before his Lōp in the vpp^r house, and there his Lop: made a speech, to Mr Speaker and the members of the Lower house, The purport of w^{ch} is as ffolloweth:

The purport
of his Lops
speech ffirst His Lordsp: sayes that the reasone why he
did Adjourne the last meeting of this Assembly, and
not prorogue it (as he Intended) was to save the
Temporall Lawes, w^{ch} would Elce have Expired, And That he

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Journal.
p. 2 is now willing to doe any thing that his Two houses, shall reasonably Desire, for the settleing the Temporall Lawes, as alsoe of the Lawes mentioned in an Act of Assembly made in the yeare of our Lord 1676:

Secondly: his Lo^{pp} sayes that haveing much business as well publique as private to dispatch before his goeing for England whither he is [now bound] vpon vrgent Occasions) is the reasone why he hath Caused this [Sessions] of Assembly to bee at the Cyttie of St Maryes, Soe neare his [own dw]elling.

Lo^{pp} Assures this house That his goeing for England [is not because of any] greater Inclinacon to that place then to his owne province of Maryland, But an absolute Necessity putt vpon him for the Determineing Certayne Matters in Difence, between himselfe and the proprietary of Pensilvania relateing to the bounds of this province, w^{ch} soe soon as Ended, and that he cann be in a Condictiō to leave his heires in an vndisturbed Right to this province hee is Resolved To Returne hither againe where not Only his Interest but his Inclinacon is.

4 ffourthly ; His Lo^{pp} sayth that it will not be above a month before he must depart this province vpon his Voyage for England, and th^t much business as well publique as private, Lyes vpon him, Yet he is willing to spend a fortnight of that time, with his Two houses for Settleing the weighty Affaires of this of this his Province & desires the Lower house to be Sollicitous about the same.

Lastly, his Lo^{pp} Tooke Notice that Mr Speaker had Adjourned the Lower house Till This day with a Less number of the members then had been vsuall at some Other times. Yet since the same was done wth a good Intention to save this Sessions of Assembly, his Lo^{pp} declares He is well Content, Therewith.

Then Mr Speaker and the members repaire to their [hou]se.
The house mett and Settled. The house mett and Called, All p^rsent Except:

M ^r Leonard Green Sick:	}	M ^r Bartho ^{ll} Ennalls
Cap ^t Richard Hill		M ^r James ffrizby
M ^r ffrancis Hutchins Lane		Cap ^t William Pearce
M ^r Henry Addames Sick		Cap ^t Henry Johnsone

Then was read what was done yesterday:

The question was then Put, whether it be not Nessary that the number of Delegates for makeing a house, According to the former Rule of this house, should be lessened:

Resolved In the Affirmative:

p. 3 The question was then further Putt, what number of the Delegats Should be a house.

Voted that nine of the Members of this house and the Speaker shall be a house, Till further Order therein be Taken by this house, and Entered vpon the Journall;

The booke of Lawes sent for, & Brought to the house. Then was Major Long sent to the Secretaries to desire them to send one of Their Clerkes, wth the booke of Lawes To this house.

Then Came Jn^o Darnall Esq and Nicholas Sewall Esq Secr^y [and] bring the booke and severall Rowles of Lawes into this house [But desire] may be returned to this Vpper house to Night.

Prizes of Lyquors. Then This house proceed, to the Consideraccōn of the R of Lyquors, as they have been settled by the Maiors Court of S^t Maryes this p^rsent yeare.

(viz^t)

Brandy	120: p ^r Gall
Rumm	100: p Gall
ffyall & S ^t Georges Wyne	80: p Gall
Madara wyne	100: p Gall
Clarrett & Porto Port	100: p Gall
Passada wyne	120: p Gall
Sherry & Rheynish wyne	120: p Gall
White wyne	100: p Gall
Cyder, Perry & quince drinck each	30: p Gall
Brandy Punch made of a q ^{rt} of brandy	50: p Bowle
Rumm Punch made of a q ^{rt} of Rumm	40 p Bowle
Canary	150 p Gall:

Muscovado Sugar, to be p^d for at the Rate of 10^{lb} p lb:

Ordered that all Expences of the publique shall be regulated, According to the Rates and Prizes aforesd, ffor this Meeting of Assembly.

Voted [that] a Committee, be Appoynted to Inspect the Journall of the Lower [house] of the Last meeting of this Assembly, & report to this house what business, was left vnfinished the Last meeting, w^{ch} is Necessary to be proceeded On by this house, And that report thereof be made to this house by Tenn a Clocke To morrow morning.

Therevpon was made the following Order (viz^t)

Lower house of Assembly Aprill the 4th 1684

Order To the Comtee Mr Robert Carvile & Mr John Rousby, being Appoynted to be a Committee for Inspecting the Journall of this house, of the first sitting of this Assembly And report to this house by Ten of the Clocke to morrow morning what matter is fitt to be proceeded vpon, this sitting th^t was left vnfinnished the Last meeting.

Signd p Order C Boteler Clk of the Lower house of Assembly

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Journal.
p. 4

The sayd members Takeing with them, the foregoing Order Goe out vpon the business They alsoe Take with them the Booke and Roles of lawes w^{ch} they are Ordered to deliver to the vpp^r house.

The house Adjournes till to morrow Morning Eight a Clock

Satterday Aprill the ffifth 1684

The house mett and Called all p^rsent as yesterday;

Then was read what was done yesterday;

Th[en Capt.] Henry Johnsone, & desire this house to Excuse him for not [returning to the house] sooner, which hee would have done but that Sickness p^rv[ented him which] Excuse being Admitted by the house he takes his place.

Baltemore
Burgess
excuses him-
selfe.

Then Ca[me Mr] James ffrizby & Cap^t William Peerce and desire to bee Excused for not Attending the house sooner, Affirming that they have been Eight dayes vpon the water but that Contrary winds, have hindered th^m for Comeing Sooner, as they really desired and Endeavoured, w^{ch} Excuse being Admitted, they Take their places.

Cæcill Bur-
gesses excuse
themselves.

Then was Cap^t Henry Smith and Major Thomas Long Added to the Committee for Inspecting the Journall of this house, &

Members
Added to the
Comtee for
Inspecting
the Journall.

The Committee Goe out vpon their Charge.

Bloomfeild
appoynted
a Comtee Clerk

Mr John Bloomfeild appoynted to be Clk of the Com̄ittee of Acco^{ts}

A bill for
Ascertain-
ing the lawes
Ordered to be
drawne.

Voted that a bill be drawne for Ascertayning the True force & validity of the Lawes of this province passed and to be passed In the Absence of the Right Hono^{ble} the Lord proprietary of this province his heires & Successo^{rs} Lords and Prop^{rs} Thereof, Pursuant to the Votes of this house, Entered in the Journall of this house, Last meeting: And Ordered That this Vote be sent to the Committee, for Inspecting the Journall of This house of the last meeting that they may draw vp the bill Accordingly:

The aforesd Vote and Order Signd by the Clk of this house [is] sent to the sayd Committee by Mr Richard Hall

He returnes and sayes he hath delivered the same

Coll Henry Darnall and Mr Secry Sewall Come with a message from the vpp^r house w^{ch} being read is as followeth (viz^t)

Upper house Aprill the 5th 1684

Original
Journal.

A message
Concerning
Examining
the Lawes

His Lo^{pp} haveing Signified To this house The great
Care & Trouble he hath Taken in haveing fairely
Transcribed the Temporall and perpetuall Lawes of
This Province for the pervsall and Examinaccōn of
this Assembly hath likewise desired for his further satisfaccon
and to prevent the vnnecessary delay of messages, That the
Lower house would resolve themselves into a grand Com-
mittee, and Joyne with this house, in Inspecting & Examine-
ing The said Lawes, Or to Appoynt some of Their members, p. 5
To Joyne wth some of the members of this house therein, To
the End that they may receive the Approbation and Con-
firmaccōn of this Assembly wth his Lspps most gracious Assent
therevnto. In Obedience wherevnto this house doe propose
Munday next be Appoynted to doe the same.

Signd p Ord^r John LLewellin Cl of Assembly

The Last message Taken Into Consideraccon of this house,
And therevpon Voted that This house doe Resolve them-
selves into a gr[and Commi]ttee One Munday Morning next,
to meet the vpper house [as desired] by the foregoeing
message;

And therevpon was Drawne the following paper

Lower house of Assembly Aprill the 5th 1684.

Answered
to the last
message.

Voted, That this house, Doe Resolve themselves
Into a grand Committee On Munday morning next
to meet the vpp^r house as Is desired by the Message
of this day, by Coll Darnall & M^r Secry Sewall

Signd p Ord^r C Boteler Cl &c

The foregoeing vote sent to the vpp^r house by Cap^t Jn^o Ors-
borne & M^r James ffrizby, who returne and say that the vpp^r
house is Adjourn'd soe they Could not deliver the same.

Cap^t Smith from the Committee for Inspecting the Journall
brings the following paper.

Satterday Aprill the 5th 1684:

Resolves
of the Comtee
for Inspect-
ing the Jour-
nall.

Att a Committee for Inspecting the Journall of
the Lower house of Assembly Resolved by this
Committee th^t the matter Concerning prisoners
secureing of prisoners and Appoynting Jaylors,
w^{ch} was recomended by his Lordsp^p to the Last meeting of
Assembly, be now Taken Into Consideraccōn.

Resolved alsoe th^t the bringing of money Into this province
be taken Into Consideraccōn.

Original Journal. Resolved alsoe th^t the bill for Electing and summoning delegates be Taken Into [further] Consideraccōn.

Resolved [al]soe that the secrys Record the Lawes of this province According to a vote of the Last sitting of this Assembly, vide Journall [folio] 41: 42: & 64:

Resolved alsoe that the house require of the Attourney Generall to present to them the bill, According to the Ord^r vpon the Journall of the house ffolio: 65: for preventing of Arrests of Judgment and Stay of Executions.

Signd p Ord^r An^t Vnderwood Cl Com^{tee}

Which paper being read

The House Adjournes Till Munday morning Eight of the Clock.

p. 6

Munday Aprill the Seventh 1684:

The house mett and Called all present as On Satterday.

Mr Greens Then Came M^r Leonard Green and prayed the excuse. Exuse of the house for not Attending sooner Affirming, that Sickness hath been the cause of his absence, w^{ch} Excuse being Admitted he Takes his place.

Cap^t Hills Cap^t Richard Hill alsoe desires to be Excused Excuse. because he sayth he hath been [detained] by Contrary winds from Attending sooner, his Excuse being Admitted he Takes his place.

Then was read what was done Satterday

Message of the 5th Instant Then was M^r Burford M^r Clem^t Hill Cap^t Richard Hill & Cap^t Orsborne sent [to the Upper House] with sent vp: the message of the 5th Instant.

They returne and say they have delivered the same.

M^r Secry Darnall from the vpper house, brings a message w^{ch} being read is as followeth.

Upper house of Assembly Ap^{ll} the 7th 1684

A message about the grand Committee. This house have resolved themselves into a grand Committee & desire the Lower house, to meet them in this house, at Two of the Clock afternoone to Inspect & Examine the Lawes of this province, According to the vote of both houses.

Signd p Ord^r John LLewellin Cl of Assembly

The houses meet. This house resolves Into a grand Comitte Accord- ing to the vote aforesd And Coll Philemon Loyd Chosen Chaireman They Adjourne themselves Into the Coun- cill Chamber, Where were p^sent the members of the Lower

house as by the Journall Thereof: And of the vpp^r house as Original Journal.
followeth:

Coll Henry Coursey	} Esqs: {	Mr Secry Darnall	} Esq ^{rs}
Coll William Stevens		Mr Secry Sewall	
Coll Henry Darnall		Coll William Burges	

Disputes about A
Chairman After severall Arguments, and disputes Concering the Joyning the Grand Com^{tee} of the Lower house, and the members of the vpper house in One Grand Committee and Electing A Chaireman thereof. The question was wav[ed by the Upper] house. And Coll Coursey desired the members of the Lower house to sitt and proceed to the business for w^{ch} they mett, He further proposed it to the Choyce of the Lower house, whether they would proceed to the Examineing the perpetual Lawes or the Temporall Lawes first:

Agreed th^t the perpetuall Lawes be first Examined;

perpetuall
Laws Ex-
aminid Then Coll Coursey Ordered his Lōpps speech att the Opening of this meeting of Assembly To be read: w^{ch} was done.

1: Then was Read an Act for Church libertyes, Made Anno 1640:

And Agreed too: Then was read the Acts following:

2: An Act for Vncertayne Goods made A^o 1640: The Transcript whereof being Corrected, it was agreed Too.

3: An Act provideing ag^t Certayne Accidents in the Gover- p. 7
ment made Anno 1640: Agreed too.

4: An Act Toutching Judicature made A^o 1647: This Act mentioned in the margent of the old book to be repealed: and left out of secretary Calverts booke.

5: An Act Toutching Pagans, made A^o 1647: This Act mentioned in the margent of the Old booke to be repealed:

An Act Concerning Religion Made A^o 1649 & 50: being Corrected to the Old booke This Act is agreed too.

6: An Act of Recognition of the Lawfull and vndoubted [claim] of the Right Hono^{ble} Cæcilius Lord Baron of Baltemore and proprietary of the province of Maryland, vnto the said pro[vince] and vnto all Islands Ports and Creekes, there-to belonging: Made A 1649 & 50:

This Act Agreed to, the Transcripts being Corrected: to the Old booke.

7: An Act Concerning purchaceing land from the Indians: Made A^o 49 & 50 This Act Corrected and agreed too.

8: An Act of Oblivion Made Anno 1649 & 50: This Act Corrected & Agreed too.

9: An Act for punnishment of Certayne Offences ag^t the peace and safety of this province: Made A^o 1649 & 50: Memo This Act to be mended.

Original
Journal.

10: An Act for punnishment of such as shall Counterfeit the Lord prop^{rys} and his heires Lds and prop^{rs} of this province, Great seale of This province Made A° 1649 and 50: Corrected and Agreed too:

11: An Act against Rayseing of Money wthin this province wthout the Consent of the Assembly: Made A° 1649 & 50: Corrected and agreed to:

12: An Act Concerning Leavying of warr within this province Made Anno 1649 & 50: Corrected and agreed too:

13: An Act prohibiting the Transportaccōn or sale of his Lōps Ordnance Amm[unition] Goods Chattells &c Made Anno 1649 & 50: Agreed that a new bill [be presented] to his Lōp Instead of this Act:

14: An Act for Speedy payment of debts Due to the Lord Prop^{ry} Made Anno 1649: & 50: This Act Corrected and Agreed too.

15: An Act for planting of Corne made A° 1649 and 50: This Act Corrected and Agreed too:

16: An Act Toutching Indians; Made Anno 1649: and 50: This Act Corrected and Agreed too

The Committee Adjourne To the house.

Mr Speaker Reassumēs The Chaire

And The House Adjourne Till To morrow Morning Eight a Clock:

p. 8

Tuesday Aprill the 8th 1684

The house mett and Called, all p^rsent as Yesterday.

Then was read what was done Yesterday:

The house resolves Into a grand Committee, And Adjourne into the Councill Chamber, where were p^rsent of the vpp^r house the same as yesterday

Then were read the ffollowing Acts: (viz^t)

17: An [Act] for Takeing the Oath of ffidelity to the Lord Prop^{ry} made Anno 1649 [and 50] And Agreed to be mended: with a saveing of Alleigeance to [his sacred] Majesty:

18: [An Act conc]erning Accountants to the Lord Prop^{ry} Made A° 1649 & 50: This [Act corrected] and Agreed too.

19: An Act [con]cerning Trade with the Indians: Made A° 1649 and 50: This Act Corrected and Agreed too.

20: An Act Touching Hoggs and Markeing of Cattle mad A° 1649 & 50 This Act repealed, by an Act made A° 1678:

21: An Act for punnishing Certayne Offences, as swereing Curseing Adultery &c Made Aprill A° 50: Corrected and agreed too.

22: An Act for punnishm^t of some Other Offences, Made Anno 1650: This Act Corrected and agreed too.

23: An Act prohibiting all Compliance wth Cap^t William

Cleybourne in opposition To his Lōps Right and Dominion ^{Original} over this province, Made Aprill A° 1650 This Act Corrected ^{Journal.} and Agreed too.

24: An Act Concerning deserted Plantacons, Made A° 1650: to be mended:

25: An Act for Erecting providence Into a County, by the name of Anne Arrundell County: Made Anno: 1650: This Act Corrected & agreed too.

26: An Act made at a Gen^l Assembly the 29th day of Aprill 1658: by Josias ffendall Esq^r Governo^r Corrected and Agreed too

The Committee Adjourne for 2 hourse

The Comittee meet, all p^rsent as before, as all Coll Taylor

The Committee proceed to Examineing the Law

Then was Read An Act for Encouragem^t of such souldiers as shall Adventure in the defence of the Country: Made Anno. 1661: This [Act] Corrected and Agreed to:

27: An Act for Appoyntment of Certayne Officers: Made A° 1661: This Act agreed to bee a Temporall Law, and to be placed in the bookes accordingly

28: An Act Concerning setting vp a Mint, within this province made A° 1661: This Act Corrected and Agreed to.

29: An Act for Port Dutyes and Masters of ships: Made A° 1661. This Act Corrected and agreed to.

30: An Act Concerning purcheing a State house & prisone, Made A° 1661: This Act Corrected A agreed to.

31: An Act Imposeing a penalty on such as shall Dispose ^{p. 9} of Tobacco seized and received by the Sher and Others: This Act is agreed to be repealed by An Act made A° 1678:

32: An Act for repeale of a Act Concerning Killing of Cattle.

33: An Act for the p^rservaccōn of Harbours wthin this province made Anno: 1663 & 64: Corrected and agreed too.

34: An Act Concerning negroes and Other Slaves, made Anno 1663 & 64.

This Act is Agreed to be repealed In Anno 81: Except

35: An Act for Appoynting Coroners in Each respective Coun[ty: Made] Aprill the 10th 1666: Corrected and Agreed too.

36: An Act for Confirmaccōn of the Articles of peace Made A° 1666: This Act Corrected and agreed to.

37: An Act prohibiting Com^{rs} sherr^s and Clks to plead as Attourneyes in their respective County Courts, Made A° 1666: Misplaced in all the Transcripts, but read in its proper place. Corected & agreed too.

38. An Act prohibiting the Office of Clerke & Sher to be

Original Journal. Officiated at One & the same time by One and the same person. Made A° 1666: This Act Corrected and agreed Too.

39: An Act for the Explanaccōn of a Clause in an Act made by Cap^t W^m Stone Touch hoggs and Markeing Cattle. This Act left to be debated.

40: An Act for Impowring the Governo^r & Councill to make peace or warr without the bounds of the province Made A° 1666: This Act is repealed by An Act made A° 1678:

41: An Act for Publishing all Lawes within this province, Made A° 1666: This Act Corrected and agreed too.

42: An Act for Continuance of peace with and proteccōn of our Neighbour and Confederate Indians in Choptanck River, Made A° 1669: This Act is Corrected and Agreed too, Except the last En Acting Clause and pvisoe which vied.

The Committee Adjourne to the house

Mr Speaker Reassumes the Chaire &

The house Adjourne Till To morrow Morning 7: a Clock

Wednesday Aprill the Ninth 1684

The house meett, and Called, all p^rsent as Yesterday:

Then was read what was done Yesterday:

The house resolve into a grand Committee, Ad Adjourne into the Councill Chamber, Where were p^rsent of the vpp^r house as yesterday

43: Then was read An Act, for the Recording the Journall of the Lower house, made Anno 1669: & Agreed the word Adjournment, be left out of the Act

p. 10 44: An Act ffor Encouragement of such as shall build water mills Made A° 1669: Corrected and agreed too, the last Clause being repealed.

45: An Act for Incourageing the Importaccōn of Negroes & Slaves into this province, Made the 7th of March 1671: Corrected & agreed to:

46: An Act Impowring the Comissioners of the County Courts to Leavy and Rayse tobacco, Towards the defraying the Necessary Charges of their Countys Made Anno 1671: Corrected and Agreed too.

47: An [Act] makeing voyd and punnishing all fraudulent practizes [Tending to the] defrauding of all reall purchasers & Creditors, Made A° [1661 Agre]ed too and Corrected.

48: An [Act Qui]etting possessions, Made Anno 1671: Corrected and Agreed [to]

49: An Act for the Rayseing and provideing a Support, for his Lōpp the Lord prop^{ty} Dureing his Naturall life, And likewise a supply Towards the defraying the publique Charge of the Govern^t Made Anno 1671.

This Act haveing relaccōn to An Act afterwards made ^{Original} Entituled An Act of Gratitude to his Excellency Charles ^{Journal.} Calvert &c An^o 1674:

To stand according to the True meaning thereof, vnless Otherwise by his Lōp: And Two houses agreed to the Contrary.

The Committee Adjourne to the house

M^r Speaker Reassumes the Chaire. &

The house Adjournes till To morrow morning: 7: a Clock.

Thursday Aprill the 10th 1684

The house mett and Called All present as Yesterday.

Then was read what was done Yesterday.

The house resolves into a grand Committee and Adjourne to the Councill chamber where the members of the Upper house were p^rsent as yesterday

Then was Read the ffollowing Lawes.

50: An Act for killing of wolves made A^o 1671: left to be

51: An Act for preservaccōn of Orphanes Estates: made Anno: 1671: This Act is repealed by an Act made Anno 1681:

52: An Act for Enrolement of Conveyances and secureing the Estates of Purchasers, made Anno 1674: Corrected and agreed to:

53: An Act for appoynting Court dayes in each Respective County wthin this province, made Anno: 1674: This Act to bee mended by appoynting a Court day for Cæcill County

54: An Act declareing what shall be done by the Sherr Ex officio, Made Anno 1674: Corrected and agreed to.

55: An Act made vpon the peticōn of Jn^o Long of the Cytty of London Merc^{ht} agreed to.

56: An Act for Erecting a Court house and Prisone in p. 11 Every County within this province, Made An^o 1674. Corrected & Agreed too.

57: An Act for the building a State house and Prisone at S^t Maryes made An^o 1674. Corrected & Agreed too.

58: An Act for repeale of Certayne Lawes, And Assertayning the Lawes of this province, Made An^o 1676: this Act to be debated

59: An Act made vpon the peticcon of Phillip Calvert Esq^r & J[ohn] Jourdein Overseers of the will of John Jarboa: Made Anno. 1676, [a private] Act.

60: An Act for settleing the Inheirittance of the Reall estate [of Robert Keiger] & alsoe his personall estate, vpon the Maj^r Recorder Alder[men and] Councill men of the Cyttye of S^t Maryes & their Successo^{rs} to the [aforesaid] Robert Keigers will mentioned: Made Anno 1676: a priv[ate] Act.

Original
Journal.

61: An Act for Limmiting Officers fees, Made An^o 1676:
Corrected. And left to further debate for Explanaccon &
Amendment.

62: An Act for punnishing a Certayn abuse Committed by
Henry Ward &c A private Act.

63: An Act for keeping holy the Lords day: Made An^o
1678. Agreed too.

64: An Act for Confirming the title of Two hundred Acrs
of land, to M^{rs} Mary Ward vpon her peticcōn. Made An^o 1678:
A private Act:

65: An Act Concerning Negroes and Slaves, Made An^o
1681 Corrected and Agreed too.

66: An Act for repeale of Certayne Lawes: Made Anno
1678: To be debated

67: An Act for Releife of Jacob Lessler of New Yorke
Marh^t a private Act.

68: An Act made vpon the peticcōn of Samuel Hossworth:
A private Act.

69: An Act Explayning An Act Concerning port Dutyes
& Masters of Shipps. made Anno 1682: Corrected and
agreed too.

70: An Act for Advancement of Trade: Made Anno 1683:
This Act to be mended by a supplementary Act.

The [Committee] Adjoune To the house.

M^r Speaker Reassumes the Chaire

The house Adjourne Till To morrow Morning 7 a Clock.

Friday Aprill the 11th 1684.

The house mett and Called, all present as yesterday
Then was read what was Done yesterday.

Then Came Cap^t Henry John and Complayned, that he is
sick and not able any Longer To Attend the business of this
Assembly Therefore desires Leave to goe home, w^{ch} is granted
to him.

The house resolves Into a Grand Committee And Adjournes
into the Councill Chamber: where of the vpp^r house were
p^rsent as yesterday.

p. 12 Then Coll Coursey proposes that a Committee may be
Appoynted out of both houses to proceed vpon Examinacōn
of the Temporary lawes That soe both houses may goe on
vpon such Other business as Lyes before them. The Grand
Committee agree to the proposition And there vpon are
nominated

ffor the vpp ^r house	Coll Lowe & Coll Darnall	ffor the Lower house	{ Cap ^t Smith M ^r ffrizby & M ^r Clem ^t Hill }
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A Committee to inspect Temporary lawes To In[spect and] Compare the The Temporary Lawes of this province. Original Journal.

Then [Coll^o Tru]man of the Grand Committee of the Lower house desires to knowe if [the matter re]marked, vpon reading the perpetuall lawes may bee debated in [the Com]mittee.

After [some] debate vpon the Question it was resolved That this Committee may debate the matters Remarked vpon the Reading of the said Lawes.

Then The Comittee proceed, and vpon Consideraccōn of:

The force of some lawes, and amendmts in Others debated and Resolved

An Act Touthching Judicature

Resolved that the sayd Law is repealed in the yeare 1678: by an Act for repeale of Certayne lawes, w^{ch} Act of repeale being Only disassented to in One Clause: that is to say: An Act against Exporting his Lōps Ordinance &c. the remaying part of the sayd repealeing Act is in full force, And soe repeales the Act Touthching Judicature, and therefore the sd Act ought not to stand In the booke

Vpon Consideraccōn of An Act Touthching Pagans.

Resolved that the sd Act stands repealed, by the Repealing Act made An^o 1678: And therefore Ought not to remaine in the booke.

An Act for punnishing Certaine Offences ag^t the peace &c.

Vpon debate of the sd Act: Resolved that a New bill be prepared instead thereof.

An Act prohibiting the Transportaccōn &c of his Lōps Ordinance &c

Resolved that a new bill be drawne and p^rsented to for his Assent: Instead of that Act.

An Act for Takeing the Oath of ffidelity. &c read & Resolved that the sayd Act be mended by Adding into the Oath [and] saveing of our Aleigeance to his Sacred Majesty.

An Act Touthching Hogs & Markeing Cattle: Read & Resolved therevpon that the sayd Act is repealed, by an Act made An^o 1681: and Ought not to remayne in the book:

An Act appoynting Certayne Officers read & Resolved that the sayd Act is Temporary: and ought to stand in The bookes as Such.

An Act Imposeing a penalty, On such as shall dispose of Tobacco Seized and received by the Sher and Others, Read And therevpon Resolved That the sayd Act is Repealed and therefore ought not to bee Continued in the booke of Lawes.

An Act Relateing to Negroes and Slaves Read & Resolved to be Repealed by an Act made Anno 1681: Except One Clause.

Original
Journal.

An Act Explayning one Clause in An Act toutching hoggs and markeing Cattle, Read, Debated and therevpon resolved That the sayd Act is repealed by a particular Act made An^o 1671 and by [an Act to] Repeale made Anno 1678: Therefore not to stand in the booke of Lawes

An Act Impowering to Governour and Councill [to make warr] wthout the bounds of this province: Read and Agreed to be [repealed with the] Ascertainyng Act made Anno 1678:

An Act for the Support of the Right Hono^{ble} Cæcilivs &c. This Act left to the further Consideraccōn of both houses. Resolved that some members of Each house be Appoynted to morrow Morning to draw vp an Address to his Lōpp: for settleing the Lawes of this province

The Committee Adjourne The house

Mr Speaker Assumes the Chaire &

The house Adjourne till to morrow morning seven a Clock:

Satterday Aprill the 12th 1684

The house mett and Called, all p^rsent as Yesterday Except Cap^t Johnsons, who is gone home sick.

Then was read what was done yesterday.

Cap^t Orsborne sent to the vpp^r house for the Old booke of lawes.

He returnes with book:

And the Act Concening deserted plantaccōns, Being Read The booke was [sent back] to the vpper house.

The [Comittee] Apoynted Yesterday to Examine The Temporary lawes Sent to Joyne with the members of the vpper house for That purpose [no]minated and soe to proceed therein.

The house Resolve into a Grand Committee, And Adjourne into The Councill Chamber, Where the vpp^r house are p^rsent as yesterday.

The Committee Then proceed To Appoynt members of Each house To draw vp the Address To his Lōpp for settleing the lawes of this pvnce According to the Vote of the Com̄ittee yesterday, Therevpon was nominated

A Committee
appoynted
To draw
vp the Adress.

By the Vpp ^r house	Coll Stevens & Mr Secry Darnall	} By the Low ^r house	{ Mr Burford Mr Rousby Mr Carvile.
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p. 14 The Committee proceed to Examine and Debate the Lawes.

An Act for preservaccōn of Orphanes Estates. Taken into Debate, and being found to be repealed by a Temporary act Putt to the question whether a Temporary law, can or

doth sufficiently repeale a perpetuall Law. th^t question not
Answered, but Resolved th^t the sayd Act is repealed, by an
Act made for the same End Anno 1681: An Act for
Appoynting Court dayes. Read. In [which there] is found
noe day for the Com^{rs} of Cæcill County to hold the Co[urt in
that] County:

Original
Journal.

[Then Re]solved th^t a bill be drawne vp wth an amendment
in that

Res[olved] the Act ag^t Henry ward being performed be
excluded the New bookes.

An Act for Repeale of Certayne Lawes made An^o 1678:
Resolved th^t this Act is in full force Except One Clause
Relateing to the Exportacon of his Lōpps Ordnance.

A supplementary Act to the Act for Officers fees made
1681: This Act being perpetuall and left out of the Tran-
scripts, Resolved that the sd Act be Added To the perpetuall
Lawes.

An Act for limmiting the County Clerkes fees: made Anno
1678: being Left Out of the Transcripts: Resolved That the sd
Act be Added to the perpetuall Lawes.

An Act for repeale of Certayne Lawes made An^o 1681:
Resolved that the sd Act is in full fforce, and Ought to bee
Incerted into the Transcript of the perpetuall Lawes.

The Committee Adjourne To the house

Mr Speaker Reassumes the Chaire

The Com-
mittee for
penning
the Address
goe out.
Mr Burford Mr Rousby and Mr Carvile, being
Appoynted by this house to Joyne with severall
members of the vpper ho[use com]mittee To draw
vp an Address to his Lōpp for settleing the Lawes
of [this Pro]vince According to a vote of the grand Com-
mittee, yesterday, Ordered that the said Committee goe forth-
with vpon That Affaire.

The house Adjournes Till Munday morning 8 a Clocke:

Munday Aprill the ffourteenth 1684:

The house mett and Called, all present as on Satterday:

Then was Read what was done a Satterday

Then was read a proposall of a member of the house as
foll

That whereas severall persones have Complayned that many
psones in this province Doe Require, Exact and Extort great
Interest of the Poore Inhabitants of this province, Twenty ffve p. 15
pounds p^r Cent for the forbearance of all such of the poore
Inhabitants, that want ability to pay their debts, for On
yeares forbearance of their debts as aforesaid. Whether this
Assembly may not see it necessary to make an Act or law To

Original p^rvent such Extortion so frequently practiced as aforesd,
Journal. That all such persones w^{ch} Otherwise may be Compelled to
pay the same may not be Ruined and brought to beggery, by
such extortion as aforesd.

A proposall of a member of the house.

A proposall
about the the Secretaries of this province, doe require Exact
Secrys ffees. and Take 240^{lb} of Tob[acco for making] drawing
and recording of a pattent for land, whereas [former] Secrys
required Noe more then 120^{lb} of Tob: w^{ch} was According
[to] what the law of this province did Allow him for the same.

Whether it be not Necessary to Inquire into the Truth of
the premises, And if it be found true, to further Inquire and
knowe, the Cause & Just reasone thereof vpon what Account
and by what law, the Secryes as aforesd doe require Exact
and recive double fees, as aforesd for the same.

These proposalls Referred to further debate.

Then was Drawn the following Message by Ord^r of the
house.

Lower house of Assembly Aprill the 14th 1684

A Committee
of Acco^{ts}
desired This house desire the vpper house To Appoynt
some of the members of their howse To Joyne with
some of the members of this house In a Committee
To State the Publique Acco^{ts} of this province.

Signed p Ord^r C Boteler Cl &c.

Which being read and Signd was sent to the vpp^r house by
Cap^t Orsborne and Maj^r Long: They returne and say they
have delivered the same.

The house Adjournes till To morrow morning 7 a Clock.

Tuesday Aprill the 15th 1684:

The [house] mett and Called all present as yesterday

Then was read what was done yesterday.

Then was read James Martins peticon for a Maintenance,
haveing have lost all he had by ffire.

The peticōner Referred to the Consideraccōn of the Com^{rs}
of the County Court

M^r Secry Sewall brings a message from the vpp^r house w^{ch}
being read is as foll:

Upper house Aprill the 15th 1684

Answered
to the last
message. This house haveing already Joyned with the Lower
house in Two Com^{tees} have not members enough,
now left to sett forth any more but soe soone as
there shall be any greater Appearance in this house, this

house, will then Appoynt some One or more of their members to Joyne In Committee with some of the Lower house, To State the publique Acco^{ts} as is desired by the message of the Lower house yesterday.

Original
Journal.
p. 16

Signed p Ord^r John LLewellin Cl &c.

The Committee for drawing vp the Address to his Lōpp for Settling the Lawes of this province Come In to the House and Present to the house the ffollowing Address (viz^t)

To the Right Hon^{ble} Charles Absolute Lord & prop^{ry} of the pvinces of Maryland & Avalon Lord Barron of Baltimore &c.

The ticcōn & Address of yo^r Lōps Two houses of Assembly

[May it please] Yo^r Lōpp:

Both
Houses
address
to his Lopp.

Wee your Lōpps most humble servants the members of the vpp^r [and] Lower houses of Assembly in this p^rsent gen^{ll} Assembly Conveened wth all Immaginable gratitude Acknowledging the happiness peace & tranquillity This your Lordships province (through the blessings of God & yo^r Lōps and honoured ffather of noble memory deceased, Care Vigilancy & sreen gov^rment) Hitherto Injoyed and the many ffavours and benefitts & Immunities wee have In gen^{rall} received from your Lōps bounty and Clemency & withall Takeing into their serious Consideraccōn, Your Lōps Gracious speech made to vs your Lōps Two houses, at the Opening of this p^rsent meeting of Assembly, wherein amongst Other things therein Conteyned yo^r Lopp pleased to Communicate, To yo^r Two houses that the great Exegencie of yo^r Lōpps Affaires required your Lōps speedy voyage for England, And that notwithstanding yo^r Lōps many Other vrgent Concernes as well private and Publique, & th^t yo^r Lōp was much staitened for time for the Accomplishing Thereof yet yo^r Lōp was graciously pleased to Condescend to Impart a great share thereof to vs your Two houses In Order to the settling and Establishing the perpetuall and Temporary lawes of this province in such manner as may best Conduce to the good welfare and Securyty thereof yo^r Lōpp vouchsafeing to Assure your Two houses, that to Joyne wth [them] therein Or in any thing they could reasonably expect, at yo^r Lōps [desire] as the Cause, of yo^r Loppes appoynting this meeting, and for the Effecting whereof Nothing should be wanting On your Lōps part.

And seeing since the Last meeting of assembly yo^r Lōp: (in Order to the better Settling the Lawes of this province) hath Caused the Lawes of this province To be fairely Transcribed,

Original
Journal. And hath made Three Coppyes Thereof Offering the same to the Consideraccōn of your Lōps Two houses ffor their veiw perusall Approbaccōn & Amendment Thereof & Assent To the same, That soe after Due Examination of them they might wth the Advice & Consent of your Lōpps Two houses receive their full vygour and force by your Lōps Assent and Confirmacon.

p. 17 Now may it further please yo^r Lo^p Your Lo^{pps} Two houses of Assembly In the first place hereby returning yo^r Lo^p their most humble & harty thanks for yo^r Lo^{ps} great kindness, Love & Affeccōn & Studious Care for the good and wellfare of the good people of this yo^r Lōps province Doe in the next place, humbly Assure your Lop: that in Obedience to yo^r Lōpps Commands, they have Carefully and dilligently revised & Examined the sd Three Transcripts of the Lawes aforesd, and Compared them wth the auncient Book of Lawes, and such Originalls as Came to our V[iew In the] puseing and Examineing whereof, they have found some Err[ors and mista]kes & made Observations, for some Necessary amendments [to be made as well] in the auncient booke of Lawes, as in the Coppyes or [Transcripts] And have reduced the Titles of all the perpetuall Lawes, by your [Lōpps] Two houses of Assembly desired to be Confirmed Into a Shedule herevnto annex^{ed} wth such necessary amendments to the same, to be a new drawne Over, as to your Lordsp shall seem meet, and the the present Juncture of time will permitt, to be fairely ingrossed In a booke for That purpose, To all w^{ch} perpetuall Lawes added and amended as aforesd, your Lōpps two houses of Assembly doe humbly beseech Yo^r Lōp will be graciously pleased to give your Lōps Assent vnto and Approbation & Confirmaccōn thereof and Cause the same to be fairely Ingrossed in a booke for that purpose and that all Other the perpetuall Lawes and Acts of Assembly heretofore made and published in this province of what kind or quallity soever, Other then what are in the Schedule Herevnto Annexed mentioned & amended as aforesd And by the Consent of your Lōp: and both houses Thought fitt to be entered, in the new booke aforesd, may stand and bee for ever Absolutely Repealed

Your Lōps Gracious Condescention herevnto & Confirmaccōn hereof as aforesd before your departure is (with all Due Obe[dience] and Submission to your Lōps good will & pleasure therein) [most] humbly offered to your Lōps Consideraccōn by yo^r Lordsp Two houses of Assembly, as the Cheifest meanes to p^rserve & Continue the peace and vnity and welfare, of this your Lōps province & the Inhabitants thereof In their

Just and Due Obedience, In whose harts you will Rule, and Comānd, vpon all Just Occasions what shall be necessary, for the defence and support of the Dignity of This your Lops Goverment.

Original
Journal.

Signed p Ord^r An^t Vnd^rwood Cl Com^{tee}

The sayd Committee alsoe p^rsent to the house the following paper of Amendments, being the proceedings of the Committee In relaccon to the Lawes of this province: viz^t

Amendmts
in the lawes,
Resolved
on by the
Committee
for drawing
the Address.

Munday Aprill the 14th 1684

p. 18

Att a Committee of both houses Appoynted for drawing vp an Address To the Right hono^{ble} the Lord Prop^{ry} Relateing to the Lawes of this Province.

Present of the vpp^r house

Present of the Lower house

{ The Hono ^{ble} Coll W ^m Stevens } { The Hono ^{ble} Jn ^o Darnall Esq ^r }	{ M ^r Robert Carvile } { M ^r Thomas Burford } { M ^r Jn ^o Rousby }
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Impr^s

Resolved by this Committee th^t it is very Expedient th^t the Act provide[ing against] suddayn Accidents in the Goverment be amended.

2^{dly} [Resolved] likewise th^t the Act Toutching Judicature made An^o 1646 be alsoe [amended] In regard of a Clause therein (Viz^t) In defect of law the &c Is Condemned by an Other Act Entitled an Act Concerning proceedings at Law w^{ch} sayes, Leaveing to much to discretion is to Open a Gapp to Corruption.

3^{dly} Resolved the Act Toutching pagans, being found to bee Incerted into Other Lawes, Ought to bee repealed.

4^{thly} Resolved th^t the Act for punnishing Certayne Offences ag^t the peace &c should be mended:

5^{thly} Resolved th^t the Act prohibiting the Exportaccōn & Sale of his Lōpps Ordnance, &c be Inspected in Order to Amendment.

6^{thly} Resolved that the Act Toutching hoggs and markeing Cattle, although Incerted in his Lōps Booke for a perpetuall Law, Stands Repeald by an Act made Anno 1671:

7^{thly} Resolved that the Act for Appoyntment of Certaine officers, is a Temporary Law, & therefore to be putt out of the perpetuall law booke.

8^{thly} An Act for Imposeing a penalty On all such as shall dispose of Tobacco Seized & received by the Sher. &c made An^o 1664: That there is an Other Act made since (viz^t) 1678: Doe thinke it meet th^t the Latter Act being allwayes revived, to have it made perpetuall [and the] Other Repealed.

Original
Journal.

9^{thly} An Act for Explanaccōn of that Clause in an Act made in the time of Cap^t Stone 1649. Touching hoggs and markeing Cattle in his Lōps [booke] of Lawes mentioned is by an Act made Anno 1671 Repealed.

10^{thly} Memorandum. That a new Law be made Touching hoggs and markeing Cattle.

11^{thly} Resolved that an Act for Continueing of peace wth & proteccōn of &c That the last Enacting Clause & pviso be repeal'd if thought Convenient.

12^{thly} Resolved th^t the Act for killing of wolves be Taken into Consideraccōn.

13^{thly} An Act for secureing Orphanes Estates made An^o 1671. is repealed in An^o 1681: by a new law made for that purpose.

p. 19 14^{thly} An Act for the support of his Lōpp made Anno 1671 to be Taken into Consideraccōn.

15^{thly} An Act of Gratitute to his Excellency Charles &c made Anno 1674 To bee Considered off.

16^{thly} An Act for limmitting the County Clerkes fees, to bee inscribed into the New booke.

17^{thly} A supplementary Act to the Act for Officers ffees, made Anno 1681 To be inscribed into the New booke.

18^{thly} Memorand A supplementary Act to be made to the [Act for] Advancement of Trade

Signd p Ord^r An^t Vnder[wood Clk] Com^{tee}

Which paper being read, was Taken into the Imediate Consideraccōn of this house, and vpon serious debate, Resolved as foll: viz^t

Impr^s To the first Article, That the Act therein mentioned Stand as it is in the New booke.

2^{dly} To the second, That the Act therein mentioned be left out.

3^{dly} To the Third: That the Act Touching pagans, is Repealed

4^{thly} To the ffourth: That the Act for punnishment of Certayne Offences ag^t the peace &c Be amended, But the Amendments referred to further Consideraccōn and that the Act for the safety of his Majestyes persone be Consulted

5^{thly} To the fffth: That the Act prohibiting the Transpor-taccōn & sale of his Lōps Ordinance, be mended according to a bill presented to the vpp^r house last sitting.

6^{thly} To the sixth That the Act Touching hoggs and markeing Cattle bee left out.

7^{thly} To the seventh, That the Act for appoynting Certayne Officers, is a Temporary Act

8^{thly} To the Eighth, That the Act Imposeing^{*} a penalty One

all such as shall dispose of Tobacco seized and received by the Sher: Doe stand as A Temporary Act. Original Journal.

9^{thly} To the Ninth. That the Act for Explanacōn of th^t Clause in an Act made 1649: Touthching Hoggs and Markeing Cattle, is Repealed.

10^{thly} To the Tenth That a new law is not necessary:

11^{thly} To the Eleventh: That the Act for Continuance of peace, with and proteccōn of our neighbour and Confederate Indians in Choptanck River, Doe stand According to the True Intent and meaning thereof

12^{thly} To the 12th That the Act for killing of woolves is A Temporary law.

The house Adjournes Till Tomorrow morning Eight a Clock

Wedensday Aprill the 16th 1684

p. 20

The house Called and all present, as yesterday.

Then was read what was done Yesterday.

An Act of
parlament
of England
Read. The was the Act for punnishing Certayne offences ag^t the peace &c taken into further Consideraccōn, And An Act of Parlament made in the 13th Yeare of the King that now is Entitled An Act for safety of his Majestyes persone, and Govern^t Against Treasonable and Seditious practices was read in this house, And the sayd Act, as alsoe the Act for [punishing] Offences, Referred to A Comītee, To draw vp a bill for the [security of his] Lōps persone and Government, Accordingly.

The house
proceed
vpon the
Committee
Report. Then this [house] proceed vpon the Amendm^{ts} p^rsented by the Comītee.

13^{thly} To [the 13th] Article, Voted that the Act for preservation of Orphanes Estates, made An^o 1671: was repealed by an Act made 1681

14^{thly} To the 14th Voted th^t the Act for support of his Lōp. Stand according to the true Intent and meaning thereof:

15^{thly} To the 15th Voted that the Act of Gratitude to his Excellency &c Stand According to the true Intent and meaning thereof.

16^{thly} To the 16th Voted That the Act for limmitting the County Clerkes fees, be Inscribed into the new Transcripts.

17^{thly} To the 17th Voted That The supplementary Act to the Act for Officers fees, be Inscribed into the new Transcripts.

18^{thly} To the 18th Voted that a Supplementary Act to the Act for Advancem^t of Trade be Considered of by this house.

Vpon Reading the Act for recording the Journall of the Lower house Voted That the word Adjournment be left out of the sayd Act.

Original
Journal.Order to the
Committee
about fin-
nishing the
Address &
Schedule.

M^r Burford M^r Rousby & M^r Carvile, Appoynted to joyne with the memb^{rs} of the vpper house in Committee to ffinnish the Address, And for drawing vp a Schedule to be Annexed Therevnto, but if it happen, That the members of the Vpper house doe not agree with the [members] of This house, Then the members of this house are Ordered to [prepare] themselves to draw vp the sd schedule, and present it To the Consideracōn of this house.

Coll Stevens and Coll Bring a message from the vpper house which being read is as followeth: (viz^t)

Upper house April 16th 1684:

A Conference
in the Grand
Committee
desired.

The Two Committees of both houses Appoynted, to Inspect & Examine the Temporall & perpetuall Lawes of this province haveing p^rsented their report to both houses, This house desires to Conferr with the Lower house in the Grand Committee Toutching some Result to be made Therevpon In Ord^r to present to his Lordship for his Approbacōn And Assent To what may Thought Necessary Therein.

p. 21

Signed p Ord^r John LLewellin Cl &c.

Put to the Question whether this house shall goe and Conferr wth the Upper house, as is Desired by the Last message, before the members returne from the Committee.

Past in the Negative.

In Answer wherevpon was drawne the ffollowing message

Lower house of Assembly Aprill the 16th 1684

Answer to
the last
message

This house haveing sent out their members, Nominated to Jo[in in Com]mittee with the members: of the Upper house, to regulate the report [of the Committee] brought into this house yesterday, In Order to the better Asser[taining] all matters which ly before the Two houses. In Relation to the Temporary [and] perpetuall lawes, of this province Cannot well Come to a Conference wth the upper house about the same, vntill their sayd members returne to this house wth Their report soe regulated, But then this house will meet the vpp^r house in a Conference about the same as is desired.

Sign'd p Ord^r C Boteler Cl &c:

which being read and sign'd was sent to the vpp^r house by Cap^t Hill and Doctour Brooke. They returne and say they have delivered the same.

Coll Low & Edward Pye Esq^r bring a message from the vpp^r house w^{ch} being read is as followeth (viz^t)

Original
Journal.

Upper house Aprill sixteenth 1684:

The vpp^r
houses
reply There-
vnto

The Lower house by their Last message to this house haveing signified That their Committee is sent out to regulate their report made yesterday & that till they returne to the house, They cannot well Confer wth this house, as is desired; This house doe approve thereof and desire that for the more Effectuall dispatch of the busines in hand, Their sayd Com^{tee} may not only be stirred vp to Expedite what they have in Charge, but may [be fully] Commissionated, to debate and Consider of all matters relat[eing to] both the perpetuall and Temporall Lawes for the result of Both houses, at the Conference in the Grand Committee.

Signd p Ord^r John LLewellin Cl &c.

A Comittee
for drawing
a Supple-
mentary
Act To the
Act for
Trade ap-
poynted

This house Appoynt Mr Clemment hill and Mr Richard Hall to bee a Committee to prepare a Supplementary Act To the Act for Advancem^t of Trade, and To Incert therein all such things as they shall be advised will be Necessary for the good and benefit of the people of this province.

And then was drawne the ffollowing message, (viz^t)

Lower house of Assembly Aprill the 16th 1684

A message
relateing
to the same

This house haveing appoynted a Committee to prepare a Supplementary Act, to the Act for Advancem^t of Trade, Doe desire the vpp^r house that if They have any petitions or Other matters before them relateing Therevnto They may be Transmitted to this house for the perfecting the sayd Bill: p. 22

Signd p Ord^r C Boteler Cler &c.

Which being read and Signed, was sent to the vpp^r house, by the s^d Comittee who return and say the vpper house is Adjourned, soe they Cannot deliver the same, But that They will sitt very Early in the morning:

Ordered th^t the sd persones deliver the message to the vpp^r house as soon as They sitt and doe proceed vpon their Charge.

[The] house Adjourn till to morrow morning 7 A Clock:

Original
Journal.

Thursday Aprill the 17th 1684

The house mett and Called all p^rsent as yesterday

Then was read what was done yesterday

Mr Hutch-
ings p^rsents
himsel^fe
to the house.

Mr ffrancis Hutchings a member of this house
hitherto absent now presents himsel^fe, and sayes
th^t a few dayes, before the meeting of this Assembly,
he broake his Arme and was thereby rendered vnable to
Attend this house sooner, This Excuse being apparent is
Admitted and he takes his place.

The report
of the Com-
mittee for
the Address
& regulateing
the Schedule

The Committee for the Address, and Règulate-
ing the Schedule make report of their proceedings,
as followeth:

ffirst They present the Address ffaire written w^{ch}
was read.

Then they present to this house a paper or Schedule to be
annexed To the Address w^{ch} is as followeth. (viz^t)

The Titles of the Lawes, in the peticcon and Address here-
vnto Annexed, mentioned, Desired to be by his Lōpp Con-
firmed, according to the Alterations and Amendments pro-
posed

An Act for Church Libertyes An^o 1640:

An Act for vncertayne goods An^o 1640:

An Act provideing ag^t Suddayne Accidents in the Govern^t
1640

An Act Concerning Religion An^o 1649 & 50

An Act for Recognition of the Lawfull and vndoubted Right
& Title of The Right Hon^{ble} Cæcilivs Lord Baron of Baltemore
absolute Lord and Prop^{ry} of the province of Maryland, vnto
the said province, & vnto all Islands ports and Creekes
thereto belonging.

An Act Concerning purchaseing land from the Indians
A^o 1649 50:

An Act of Oblivion made An^o 1649 & 50:

An Act for punnishing Certayne Offences ag^t the peace &
safety of this province An^o 1649 & 50: To be mended Accord-
ing to A new bill To be p^resented To his Lopp

p. 23 An Act for punnishment of such as shall Counterfeit The
Lord Prop^{rys} and his heires Lords and Prp^{rys} of this province
great Seale of this province

An Act against Rayseing of Money wthin this province
wthout the Consent of the Assembly Anno 1649 & 50

An Act concerning leavying warr wthin this province, An^o
1649 & 50

An Act prohibiting the Transportaccōn and Sale of his
Lops Ordnance amunicōn goods Chattells &c. Ann^o 1649 &
50. That the sayd Act is to be mended according to a new
bill to be presented to his Lopp

An Act for the speedy payment of debts Due to the L^d Original Journal.
prop^{ry} [An^o 1649 & 50]

An Act for the planting of Corne, Anno 1649 & 50.

An Act Touching Indians Anno 1649 & 50:

An Act for Takeing the Oath of fidelity to his Lopp: the L^d
Prop^{ry} To be amended with a Saveing of Alleigeance to his
sacred Majesty:

An Act concering Accomptants to the Lord Prop^{ry} Anno
1649 & 50:

An Act Concerning Trade with the Indians Anno 1649:
& 50:

An Act for punnishment of Certayne Offences as swearing
Cursing and adultery &c Aprill Anno 1650:

An Act for punnishment of some Other Offences Anno 1650:

An Act prohibiting all Compliance wth Cap^t William
Cleybourn: in opposition to his Lōps Right & Dominion over
this province, Aprill Anno 1650:

An Act Concerning deserted plantacōns, Anno 1650.

An Act for Erecting providence Into a County by the name
of An-Arrundell County: Anno 1650.

An Act made at a Gen^l Assembly the 29th day of Aprill 1658
by Josias ffendall Esq^r Governour:

An Act for Encouragement of such Souldiers as shall
Adventure in the defence of the Country: Anno 1661:

An Act Concerning setting vp of a Mint wthin this pvince
An^o 1661:

An [Act for] port Dutyes & Masters of shipps. Anno 1661:

An [Act for] purchaceing a State house & prisone An^o
1661.

An Act for the p^rservaccōn of the Severall Harbours wthin
this pvince: 1663: 4

An Act Concerning Negroes & Slaves Anno 1663 & 64:

An Act Appoynting Corroners in each respective County.
An^o 1663 & 64:

An Act for Confirmaccōn of the Articles of peace made wth
the Indians: 1663: 4

An Act prohibiting Com^{rs} Sherriffs & Clerkes, to plead as
Attourneyes in the Respective County Courts, Anno 1666:

An Act prohibiting the Offices of Clerke and Sherriffe to
be Officiated At one and the same time by One and the same
persone. Anno 1666:

An Act for the publication of all lawes within this province
for the future. Anno 1666.

An Act for Naturalizeing of John Jarbo & Others Anno. p. 24
1666.

An Act for Naturalizaccōn of James Neale & Others Anno
1666.

Original
Journal.

An Act for Confirmacōn of peace wth and proteccōn of our Neibour & confederate Indians in Choptanck River, Aprill the 13th 1669. Except the last Enacting Clause w^{ch} is fallen.

An Act for recording the Jourall of the Lower house. Anno 1669. The word Adjournment to be left out.

An Act for Encourageing such persones as will vndertake to build water [mills] Anno 1669:

[An Act] for the Incourgm^t of the Importacōn of Negroes & Slaves into this province the 7th of March 1671:

An Act for Naturalizacōn of Garrat vansweringen & Others

An Act Impowering the Comission^{rs} of the County Courts to Leavy & Rayse tobacco Toward the defraying the Necessary Charges of their Countyes An^o 1671:

An Act for Naturalizacōn of Dehyniosa Johnstone & Others.

An Act for makeing Voyd and Punnishing of all fraudulent practices tending to the Defrauding of reall purchasers & Creditors, An^o 1671:

An Act for quieting possessions Anno 1671:

An Act for the Rayseing and provideing a support for his Lōp the Ld ppriet^{ry} dureing his Naturall life, & likewise a supply toward the defraying the publique charges of government: Anno 1671: Being it hath relaccōn to an Act afterwards made Entitled an Act of Gratitude to his Excellency Charles Calvert Esq^r Cap^t Gen^l of Maryland In Anno 1674: To Stand according to the True Intent and meaning thereof, vnless Otherwise by his Lopp & Two houses agreed to the Contrary:

An Act prohibiting all Sherriffs Subsherriffes or deputy sherriffes all Clerkes Subclerke and debuty Clerkes, to plead as an Attourney in any Co^{rt} or Courts, where he or they shall beare such Office. Anno 1671:

An Act for Naturalizacōn of Mathyas Decosta: & Others [Anno] 1671:

An Act of Gratitude to his Excell^y Charles Calvert Esqr [Cap^t Gen^l] of Maryland Anno 1674 13 Aprill: To Stand according to the true Intent & meaning of it, vnless Otherwise provided this Assembly:

An Act for the Inrolement of Conveyances and secureing the Estates of purchasers, Anno 1674:

An Act for Appoynting Court dayes in each respective County within this province. Anno 1674: Cæcill County being a New County since is left out. A day to be appoynted when they shall Hold Their Courts.

An Act Declareing what shall be done by the Sher ex officio: An^o 1674:

An Act for Erecting a Court house and prisone in Every County wthin this province. Anno 1674

An Act for the building a State house & prisone at S^t Maryes Anno 1674:

Original
Journal.
p. 25

An Act made vpon the peticōn of John Long of London Marc^{ht} Anno 1674:

An Act for Naturalizacōn of Jacob Dehattaway & others Anno 1674:

An Act made vpon the peticcōn of Phillip Calvert Esq & John Jourden Overseers of the will of John Jarboa: Anno 1674.

An Act for the settleing the Inheiretance of the Reall estate of Robert Cager as alsoe his personall Estate, vpon the Maj^r Recorder Aldermen & Common councill men of the Cyttye of S^t Maryes to the vses in the sayd Robert Cagers will mentioned: Anno 1676:

An Act for limmittacōn of Officers ffees, Anno 1676: [This Act] may be Explayned and Amended.

An Act for keeping holy the Lords day: Anno 1678:

An Act for limmiting the County Clerkes ffees wthin this pvince An^o 1678

An Act for the Confirming the title of Two hundred Acres of land to Mary Ward: vpon her petition Anno 1678.

An Act Concerning Negroes and Slaves, Anno. 1681

A Supplementary Act to the Act for limmittaccōn of Officers ffees 1681

An Act made vpon the peticōn of Samuell Holdsworth Anno 1681

An Act explayning an Act Concerning port Dutyes and Masters of shippes. Anno 1682:

An Act for Naturalizaccōn of Jossua Guibert & Others, An^o 1678:

An Act for Naturalizacon of Jacob Looton & Others Anno 1682:

An Act for Advancement of Trade Anno 1683:

An Act for Naturalizaccōn of John Coosines & Others, Anno 1683:

Signd p Order Ant: Vnderwood Clk Com^{tee}

The members Ordered To goe with the message last Night about the supplementary Act, goe with the same and are further Ordered to acquaint the Vpp^r house th^t This house is ready to meet in A grand Committee According to the Message yesterday.

They [returne and] say th^t To the Verball message the vpper house Answere that they have [not] received A report for their members, and therefore are not Ready for the same, but soe soone as they have received a Report they will send word.

Original
Journal.

Then the sayd Committee p^rsent to this house the foll paper as a further report of Their proceedings in Committee (viz^t)

Acts not
yett agreed
On.

Acts not yett agreed vpon by both houses.

An Act for punnishing Certayne offences ag^t the peace &c Anno 49 & 50

An Act prohibiting The Transportacon of his Lōps Ordinance, &c Anno 1649 & 50

An Act for Takeing the Oath of ffidelity: Though agreed on by the Committee of both houses, Yet not fully Concluded On:

An Act Concerning deserted plantaccōns.

p. 26 An Act Impowering the governour and Councill to make warr and peace Without the bounds of this province Anno 1666.

An Act for recording the Journall of the Lower House.

An Act for provideing support for his Lōpp:

An Act of Gratitude to his Excellency Charles Calvert Esq. &c.

An Act for Appoynting Court dayes &c.

An Act for Limmitaccōn of Officers fees &c.

An Act Imposeing a pennalty on such who shall dispose of Tobacco &c.

An Act for Killing of wolves.

Signed p Ord^r Ant: Vnderwood Cler Com^{tee}

Mr [Dar]nall Acquaints this house That the Vpp^r house are ready to meet this house in a Grand Committee, he alsoe delivers the following paper

William Blankinstein Aged 24 yeares or thereabout deposeth as followeth.

Jacob Youngs
Excuse for not
Comeing to
this Assem-
bly According
to his bond
Given.

That Mr Jacob Young is soe sick & weake being all over his body broken out with Boiles & sores, that he is altogether vncapable of goeing or being Carryed vpon any Journey or voyage wthout apparent danger of his life, w^{ch} is humbly Certyfied to his Lopp and the vpp^r house of

Assembly.

Jurat Corā me 6^o Die
Aprilis 1684:

Will Blanckinstein
Geo Talbott

Vpp^r house Aprill 17th 1684

This house have Admitted of the Above deposition in Excuse of Jacob Young to save him and his baile for not appearing this Assembly and send it Downe to the Lower house, for their Concurrence & Approbaccōn.

Signd p Ord^r Jn^o Lewellin Cl &c:

Then was read the peticcōn of Joseph Tilly prisoner & Referred to A ffull house, for further Consideraccōn. Original Journal.

The grand Committee meet. The House Resolve into a grand Committee, and Adjourne into The Councill: Where were p^rsent of the vpper house

Coll Courcey	Coll Lowe	Coll Taylor	} [Coll ^o] Pye }
Coll Taylor	Coll Diggs	M ^r Secry Darnall	
Coll Darnall	Maj ^r Sewall	Coll Burgess	

M^r Richard Hall and M^r William Richardson members of this house [are] denied Entrance into the Vpper house by the Doorkeeper Except the would Putt of their hatts, Wherevpon arose some dispute between the Two houses, The Upper house pressing to proceed vpon the business of the grand Committee, the Lower house Answered they cannot, without their members, w^{ch} were kept Out. At last the vpp^r house give Order for the members, to be Admitted, for this time, because the more weighty affaires now Before them should not be delayed But to bee noe Rule for the future.

The sayd members were lett in and The grand Committee proceed

Then was read The Address to his Lōpp and the whole p. 27 matter as then penned Agreed On and Consented to.

Then M^r Carville Read the Schedule (to bee Annexed to the Address) To the Grand Committee of both houses, Which being done

The Comittee Adjourne To the house

M^r Speaker reassumes the Chaire

A vote of the Lower house about 2 bills. Whereas there are Two Acts of Assembly made both in the yeares 1649 & 50: One of them Entitled an Act against Rayseing of money wthout the Consent of the Assembly, And the Other Intitled [An Act] Concerning Leavying of warr within this province.

Voted That the sayd Two Acts be debated in the Grand Committee, And the bill presented to the vpper house at the Ridge made to Explayne the said Two Acts be insisted on:

The house resolve Into a grand Committee And Adjourne to the Councill Chamber, where were p^rsent as before.

The Committee of both houses proceed To Debate vpon severall Acts.

Impr^s An Act Toutching Judicature: Agreed That a new bill be drawne to Conteyne the sence of the sayd Act, And One Other Act Entitled An Act for proceedings at law, made An^o 1664: and p^rsentd to his Lopp:

2^{dly} An Act for punnishment of Certayne Offences ag^t the peace & safety of this province read and Debated. And Agreed That a new bill now read bee presented to his Lopp for his Assent, and the former Repealed.

Original
Journal.

3^{dly} An Act phibitting the Transportaccōn & Sale of his Lōpps Ordnance &c was Read. And therevpon Agreed That a New bill now Read, Repealing the former be presented to his Lōp for his Assent.

4^{thly} An Act for Takeing an Oath of ffidelity &c Agreed That A Saveing of our Alleigeance To our Sovereigne Lord the King: be Added to the Oath.

5^{thly} An Act ag^t Rayseing of money wthin this pvince wthout the Consent of Assembly &:

An Act Concerning Leavying warr within this province, both w^{ch} lawes are de[sired to be] Taken into Consideraccōn by this Grand Committee.

6^{thly} An Act Touthching hoggs and markeing Cattle, agreed to bee repealed 1681

7^{thly} An Act Concerning Deserted plantaccōns, Desired by the Lower house to bee mended. To which The vpper house Answere that if the Lower house can find any way to Assertayne his Lopps Rent to him they will Concurr with them therein.

8^{thly} An Act for Recording the Journall of the Lower house, Read and therevpon agreed that a new bill bee drawne leaveing out the word Adjournment.

The Committee Adjournes to the house

Mr Speaker Reassumes The Chaire

The house Adjourne Till To morrow morning 7 a Clock.

p. 28

Fryday Aprill the 18th 1684

The house mett and Called all present as Yesterday Except Mr William Richardsons, who being sick has leave to goe home.

Then was read what was done Yesterday.

The grand Committee Adjourne into the Councill Chamber: where were meet & ffurther p^rsent the vpper house as Yesterday.

Then was read a Bill Entitled An Act Touthching Leavying of warr and Defraying the publique Charge of this province, And the vpper houses Assent thereto, and that the sayd bill, may be presented to his Lōpp with [both houses] for his Lopps Assent to the same, w^{ch} bill Conteynes the sence of Two Other Acts One Entitled An Act for Leavying of warr wthin this pvnce and the Other An Act concerning Rayseing money wthin this province wthout the Consent of an Assembly, and repeales the same.

It was therevpon Put to the Vote, by the members of the upper house in Committee whether the said bill shall pass as it is Yea or Nay

Past in the Negative;

Yet the Upper house say that if the Act for support of his Lopp. And the Act of Gratitude, may be Considered Together with the same, and putt into fitt termes, That then the said three bills may bee presented to his Lopp together, To w^{ch} the Lower house did not agree. Then was read An Act Impowering the Governour and Councill to make warr and peace, wthout the bounds of this province made Anno 1666: and vpon debate appeared to be perpetuated in An^o 1676: & Repealed in Anno 1678: But vpon the whole, it was Agreed by both houses to bee fallen of it selfe and ought not to stand in the new booke of Lawes.

Original
Journal.

An Act for killing of wolves. Read and agreed that a new bill be drawne, and made a Temporary Law.

An Act for Limmitting of Officers fees read. And Agreed by both houses That the Act be amended, and the fee now Taken by the [Secretaryes] for pattents Regulated.

An Act for County Clerkes fees, Read, And agreed that the sd Act be Entered in the booke amongst the perpetuall Lawes.

A supplementary Act to the Act for Officers fees, Read & Agreed To be entered amongst the perpetuall Lawes.

The Committee Adjourne To the house.

Mr Speaker Reassumes the Chaire.

Then was read in this house the proceedings of The grand Committee of yesterday and to day.

Mr Secry Darnall brings a paper from the vpper house which being read is as ffolloweth viz^t

Upper house Aprill 18th 1684

p. 29

A message
and Votes
of the vpper
house re-
lateing to
Townes.

Moved by a member of this house th^t the Land Given by William Berry to the Inhabitants of Battle Towne in Calvert County in Consideraccōn th^t the same should be Constituted a towne will (by the Act of Trade past the last meeting of this sessions) revert to the Donor the Consideraccōn being taken away, vnless remedied by a supplementary Act

Voted th^t the sd place is a Convenient scituation for a Towne or Port of Trade, and desire the Lower house will make a provision Accordingly in the said supplementary Act it being the [humble] request of all the Inhabitants there and diverse others in [that County] the Court house being thereon built at the great Charge of the [County].

Voted alsoe that a towne be Appoynted, Either at the land Called Mount Calvert, or Muscleshell banck (both convenient scituations for Trade) as the Commisioners in the said Act of

Original Journal. Trade nominated shall direct, to be alsoe Considered in the supplementary Act

The Lower house is alsoe desired to pervse & Consider the severall petitiōs herewith sent them.

Signd p Ord^r John LLewellin Cl &c.

M^r ffrizby and Maj^r Long sent to the Upper house with the following message viz^t

Lower house of Assembly Aprill the 18th 1684:

A committee desired by the lower house to pfect bills. The Upper house is Desired by this house to Nominate some members of their house, to Joyne in Committee with some of the members of this house to draw vp such bills and make such amendments as were agreed vpon by both houses in the grand Committee

Signd p Ord^r C Boteler Clk of the lower &c.

The members returne and say they have delivered the same
Edward Pye Esq^r brings a message from the vpp^r house w^{ch} being read is as followeth (viz^t)

Upper house Aprill 18th 1684

Members of the vpper house nominated. The hono^{ble} Coll William Stevens & M^r Secry Darnall nominated & appoynted by this [house to] Joyne in Committee with some of the members of the Lower house, to perfect the bills and amendments agreed On by both houses & will be ready to meet To morrow morning Eight a Clocke

Signd p Ord^r John LLewellin Cl of Assembly

In Answere wherevnto was Drawn the ffollowing message (viz^t)

Lower house of Assembly Aprill the 18th 1684:

Members of the Lower house nominated. M^r Burford M^r Rousby Cap^t Orsborne & Cap^t Hill Nominated & appoynted by this house To Joyne in Committee wth the members of the vpper house Nominated to perfect the bills and Amendments agreed on by the members of both houses in a grand Committee and will meet at Eight of the Clock to morrow morning as is Desired

Signd p Ord^r C Boteler Cl of the Lower house &c.

p. 30 w^{ch} being read is sent to the vpper house by Cap^t Smith and M^r Leonard Green.

Coll Burgess brings a message from the Upp^r house w^{ch} read is as followeth (viz^t)

Upper house Aprill the 18th 1684
Message about
repairing
the State
house. This house Takeing into their Consideraccōn
the ruinous State & Condition of the State house
altogether vnfitt for the Reception and Enter-
teynm^t of Assemblies provincially Courts & Other publique
meetings for w^{ch} the same was designed and Calling to mind
what a vast sum of Tobacco hath been Expended thereon
Desire the Lower house to Consider of some speedy repaires
thereof to be offered to [this House] for their ready concur-
rence therein.

Original
Journal.

Signd p Ord^r John LLewellin Cl: &c.

Cap^t Smith & M^r Green Returne and say they cannot deliver
their message because the vpper house is Adjourned.

Then this house proceed to Consider the peticcōns men-
tioned in the message by M^r Secry Darnall.

Somerset
County
peticōn And vpon Reading the peticon of the Inhabitants
of Somerset County for a Towne at the Sea Side,
Ordered th^t a towne be appoynted between the goe-
ing into Selbyes bay & Cornelivs Innis his land at Assategue
bay At the Discretion of the Commissioners: but,

Voted That the Towne at Barrows landing not to be
removed nor altered.

Zaccaija
Swamp
peticōn. The peticcōn of the Inhabitants of Zaccaijah Swamp
in S^t Maryes County: was read, & Voted that there be
a towne at Westwood Manno^r as by this peticcōn is
Desired

Vpon Cosideraccōn of the peticcōn of the Inhabitants of
Nangemy Creeke in Charles County, Voted that a Towne be
Layd out at the mouth of Nangemy Creeke at or nere Lewis
his neck as is desired by the peticcōn:

All the sayd peticcōns refferred to the Committee for draw-
ing the Supplementary Act To the Act for Trade.

The house Adjourne till To morrow morning 8 [a Clock]

Satterday Aprill the 19th 1684

The house mett, and Called, all p^rsent as Yesterday

Then was read what was done Yesterday:

The Committee for drawing vp the bills and Amendm^{ts}
agreed on by the Grand Committee of both houses, goe vpon
their Charge.

Then was Taken Into further Consideraccōn of this house,
the peticcōns brought Yesterday by M^r Secry Darnall.

The peticōn of the Inhabitants of Mannokin River in Som-
ersett County about a towne Read and Rejected.

Original Journal. p. 31 The petition of the Inhabitants of sommersett County about linnen and woolen Cloth read and Rejected.

Townes Vpon Motion of the Delegates for Cæcill County,
Added and A Towne is Ordered to be layd out, Att Meeting
Altered vpon house poynt in Sassafrass river in the sd County.
motion of

severall Vpon motion of the delegates of S^t Maryes
members. County Voted that a Towne be sett forth at Brit-
tons Neck in S^t Maryes County.

Vpon motion of the Delegate of Dorchester County Voted
that a Towne be appoynted att Daniell Jones's Plantaccōn On
the South Side of great Choptanck River.

Vpon motion of the delegates of Ann Arrundell County
Vo[t]ed that there] bee a towne at west River vpon the Land
late of John Heilin Deceased and the lands Adjacent.

Vpon motion of the Delegates of Calvert County Voted
that there be A Towne at Coxes Creeke on the lands Adja-
cent, Instead of the Towne appoynted In the Act for Trade,
To bee At John Bowlings land.

Voted alsoe that there bee A Towne Appoynted At Pigg
poynt vpon Mount Calvert Manno^r In puttuxent River.

Alsoe a Towne Voted to bee, Att Battle Creeke in Puttux-
ent River.

Vpon motion of the Delegate of Baltemore County, Voted
that there bee a Towne Appoynted in Baltemore County Att
Middle River on the lands of Cornwallis or Leakins, or both
at the Discretion of the Commission^{rs}

The Committee M^r Robert Carvill M^r Clem^t Hill and M^r Richard
for the Sup- Hall being Appoynted A Committee for drawing
plementary vp the supplementary Act To the Act for Advance-
Act goe out. ment of Trade, Are Ordered to report to the vpper
house the Addiccōns & Alteracōns of Townes aforesd & soe to
proceed vpon their Charge.

Then was Ordered the following message

Lower house of Assembly Aprill the 19th 1684

A message Vpon pervsall of the deposition of William
in Answer to the depo- Blanckinsteine sent to this house from the vpper
osition about house, Affirming the Inability of Jacob Young to
Jacob Young. Tra[vell] to this Assembly This house doe Concurr
with the vpper house In Addmitting the said deposition in
excuse of the sd Jacob to save him and his baile for Not
Appeareing at this meeting of Assembly

Signd p Ord^r C Boteler Cl of the Lower &c.

Which being read And signd was sent to the vpper house
by M^r Hatton and Maj^r Joseph Weekes.

They returne and say they have delivered the same.

The Committees being all out vpon theire Severall busi- Original
nesses And this house haveing noe Other business then Journal.
The House Adjourne Till Munday morning Eight a Clock.

Munday Aprill the 21th 1684:

The house mett and Called all present as On Satterday p. 32
Then was read what was done On Satterday

The Committee for drawing vp the Supplementary Act to
the Act for Advancement of Trade goe vpon their Charge.

The bill
for Asser- Then was read a bill Entitled An Act Assertayn-
taining the ing the True force and Validity of the Lawes of
lawes read this province past and to be past in The Absence
the first time: of the Right hono^{ble} The Lord and proprietary and
his heires and Successors Lords and Prp^{rys} of this province:
The first time.

The [Committee] Come Into the house, And the Com-
mittee for drawing vp the Supplementary Act and Other bills
p^rsent to the house Three bills Entitled as followeth:

3 bills
brought An Act Touthching Leavying of warr & defraying
into the the publique Charge of this province. w^{ch} was read
house: i: e: the first time.

Touthching An Act Against Excessive vsury which was read
leavying the first time.
warr &c

agt vsury
and for Rayse- An Act for Rayseing a supply for his Lōpps
ing a Supply Extraordinary Occasions w^{ch} was read the first
for his Lop: time.
&c and read

the first
time. A bill Entitled An Act Touthching leavying
of warr &c Read the second time by speciall
Order of the house and past to Ingrossment.

A bill Entitled an Act against Excessive vsury, read the
second time by speciall Order of the house and past to
Ingrossment.

Debated by the house whether the bill for Rayseing a
supply &c: shall be Expedited Towards its passage, by a
second reading in this house This day:

The debate referred.

M^r Secry Sewall & Esq^r Pye bring a message from the
vpper house which being read is as followeth (viz^t)

Aprill 21th 1684

About Trans- If the Committee of both houses appoynted
mitting the to pfect the Lawes & Amendm^{ts} agreed on by the
pceeding grand Committee have Transmitted to the Lower
of the Comtee house any of their proceedings. The lower
& house is desired [to Comm]unicate the same to
Day of Sessions. this house, for their Consideraccōn soe soon as may be, his

Original Journal. Lopp haveing signified to this house that Thursday next will be the day of Sessions.

Signd p Ord^r John LLewellin Clⁱ &c:

They alsoe bring with them the ffollowing bills and papers.

An Act Touching Judicature &c: A Bill Entitled An Act Touching Judicature & proceedings at Law.

Acts Naturalizing Peter Bayard Arnoldus De la Grange, Peter Sluyter, & Jasper Dancres.

A bill Entituled An Act for Naturalizaccōn of Jacob Seth.

A bill Entituled A Act for Naturalizaccon of Nicholas Verbraach Every of w^{ch} sayd bills were past the vpp^r house & subscribed wth

p. 33 in Assented too. These words Viz^t April the 21th 1684

The vpper house have Assented:

Signd p Ord^r John LLewellin Clⁱ &c.

Every of w^{ch} sd Acts were read in this house the first time

Three peticcōns about Townes, were alsoe returned to this house by the same messengers, w^{ch} were severally Indorsed as foll

Vpon the peticcōn of the Inhabitants of Sommersett County.

This house doe Concurr wth the above Vote of the Lower house.

Apr^{ll} 21th 1684:

Signd p Ord^r John LLewellin Clⁱ of Assembly.

Upper house Apr^{ll} 21th 1684:

This house Concurr with the Lower house as above

Signd p Ord John LLewellin Clⁱ of Assembly.

Vpon the peticcōn of the Inhabitants of Nangemy Creeke Apr^{ll} 21th 1684: Vpper house Concurr with the Above vote

Signd p Ord^r John LLewellin Clⁱ of Assembly

Then was drawne the following message.

Lower house of Assembly Aprill the 21th 1684

Answered to the last message from the vpp^r house In Answer to the message this Day received from the vpper house by Majo^r Sewall and Edward Pye Esq^r this house doe say that they haveing Especiall matter to debate, did in Order Therevnto send for the Committee Appoynted to Joyne with the Committee of the vpper house to pfect the Lawes and Amendm^{ts} agreed On by the grand Committee, And this house have sent them

Out againe to meet the members of the vpper house to proceed to the perfecting what matters lye before them, and to report the same to this house, w^{ch} done this house shall Communicate the same and their results therevpon To the vpper house:

Original
Journal.

Signd p Ord^r C Boteler Cl of the Lower house &c.

Which being read and signd was sent to the vpp^r house by M^r Hutchings & Maj^r Long: who return and say they have delivered the same.

Then Came Coll Steevens wth a message w^{ch} being read is as foll (viz^t)

Upper house Aprill the 21: 1684

A message about A Towne at Tipquin. Moved by a member of this house in behalfe of the Inhabitants of Sommersett County, more particularly of Nantecoke River, That a Towne be Appoynted at or neer Tipquin on the south side of the sd River It being a most Convenient Scituation for a towne or place of Trade, & most frequented by shipping of any River in the sd County.

Voted necessary and that provision be made accordingly In the supplementary Act to the Act for Trade

Signd p Ord^r John LLewellin Cl of Assembly

Coll Burgess brings a message for the vpper house which being Read is as ffolloweth.

Upper house Aprill 21th 1684

p. 34

A message about a Towne at portobacco. Proposed by a member of this house, That a Towne be appoynded at the head of Porttobacco Creeke most Commodious for the Inhabitants of the fforrest in Charles County from whence Comes yearly great quantityes of Tobacco. Voted necessary & that a towne be by the supplementary Act to the Act for Trade Appoynted at the head of Portobacco Creeke nere the Church there.

Signd p Ord^r John LLewellin Cl of Assembly

Edward Pye Esq^r Comes from the vpp^r house wth sevr^l papers w^{ch} being read are as foll (Viz^t)

Owen Newens
pett

The [peticcōn] of Owen Newen of Charles County: for Allowance for Officiating as a Publique Post: and Conveying Letters, by his Lōpps Order;

Vpon w^{ch} was Endeorsed as followeth

Upper house Aprill 21th 1684:

The vpp^r house thinke th^t the peticoner ought to have

Original some Allowance made him as shall be Thought reasonable by
Journal. both houses

Signd p Ord^r John LLewellin Cl of Assembly

J^{no} Lewel-
lins peticōn.

The peticōn of John LLewellin for Allowance for his Attendance at the Ridge the last meeting of Assembly And officiating as Clerke Assistante to M^r Grunwin, And alsoe for Adjusting the and makeing out the Publique Leavy Into the severall Countyes of this province, pvt pet: Upon w^{ch} was Endeorsed, as foll (viz^t)

Upper house Aprill the 21th 1684

This house thinke fitt that a reasonable Allowance be made the peticōner as is prayed In the next publique Leavie and desire therevnto the Concurrence of the Lower house.

Signd p Ord^r John LLewellin Cl of Assembly

The peticōn of Thomas Casey of Charles County being a maimed Souldier for Allowance Towards his Meintenance pvt pet

Upon which was Endeorsed as fol (viz^t)

This house doe thinke the peticōner an Object of Charity, And that hee ought to bee allowed his yearly pention and Arreares as is [prayed]

Signd p Ord^r John LLewellin Cl of Assembly

Vpon debate of Two messages sent this day to this house, about Townes was drawne the ffollowing message (Viz^t)

Lower house of Assembly Aprill the 21th 1684

This house Concurr with the vpper in their Two Votes this day sent That a Towne be Appoynted at or nere Tipquinn on the South side of Nantecoak River, As alsoe at the head of portobacco Creeke, And This house desire to knowe If the vpper house doe Consent to the severall votes & places agreed On by this house, and mentioned in a list sent To the vpp^r house On Satterday last.

Signd p Ord^r C Boteler Cl of the Lower house &c.

p. 35 Which being read and signed was sent to the vpp^r house by Cap^t Smith and and M^r Hatton.

Concurrence M^r Secry Darnall brings a message from the
to the places vpp^r house w^{ch} being read is as followeth viz^t
for Townes.

Upper house Aprill 21th 1684

This house doe Concurr in all poynts wth the Lower house in their message On Satterday last relateing to Townes, according to their severall votes therein mentioned

Signd p Ord^r C Boteler John LLewellin Cl &c.

The Committee for perfecting the bills Present severall bills wch were read the first time.

Then Came the Committee for perfecting and Amending the Lawes &c And present to this house the following bills (viz^t)

Original Journal.

A Bill Entitled An Act Touthching Judicature & proceedings [thereon].

A Bill Entitled An Act ffor punnishment of Certayne Offences against the peace and Safety of this province.

A Bill Entitled An Act prohibiting his Lōps Ordnance Armes &c To be Imbezelled &c.

A Bill Entitled An Act for the Recording the Journall of the Low^r house.

A Bill Entitled An Act for Killing of wolves.

A Bill Entitle an Act for Appoynting Court dayes in each respective County.

A Bill Entitled An Act for Takeing the Oath of fidelity &c

The Oath of ffidelity:

Every of w^{ch} Bills received its first reading in this house Towards its passing.

Taneys petition.

Then was read the peticcōn of Michaell Taney, for A Towne in Battle Creeke vpon his land; And that the same may be soe Layd out as to reserve his houses thereon built to himselfe: Wherevpon was Endeorsed as followeth.

Upper house Aprill the 21th 1684:

message therevpon.

In all Cases suitable to the peticcōners, This house are of Opinion & Doe Vote That a Clause be Inserted in the supplementary Act, of Trade reserveing to Every persone his house or houses alreadie built vpon any the ports or places of Trade in the sayd Act Nominated:

Signd p Ord^r John LLewellin Cl of Assembly

The sayd peticcōn refferred to the Consideraccōn of A ffull house

The house Adjourne till tomorrow morning Eight a Clock:

Tuesday Aprill the 22th 1684

The house mett and Called all present as yesterday.

Then was read what was done yesterday.

Taney pet Rejected:

The peticcōn of Michaell Taney Read Debated and rejected.

Then was read A Bill Entitled An Act for punnishment of Certayne offences against the peace and safety of this province, The second time and alsoe the Third time by Speciall Order of the house.

Voted that a Clause of repeale of a former Act of the same

Original
Journal.

title, bee Added To the sayd bill; being done, The sayd bill
past in these words (viz^t)

Aprill the 22th 1684: The Lower house have Assented:

Signd p Ord^r C Boteler Cl of the Low^r house of Assembly

Divers
Bills Read
& Debated.

A Bill Entitled An Act prohibiting the Imbezel-
ling his Lopps Ordnance Armes Ammunition &c
was read the second Time and alsoe the Third time
by speciall ord^r of the house, Put to the question whether the
sayd Act shall as it is:

Voted to be Amended According to a bill p^rsented last
meeting

A Bill Entitled An Act for recording the Journall of the
Lower house, Read the 2^d time [and alsoe] the Third time by
speciall Order of the house, & past in these words viz^t

Aprill the 22th 1684: The Lower house have Assented:

Signd p Ord^r C Boteler Cl of the Lower house &c.

A Bill Entitled An Act for killing of wolves read the second
time, And alsoe the Third time by Speciall Order of the house,
and past, in the same words as the former.

A Bill Entitled an Act Appoynting Court dayes in each
respective County Court wthin this province, read the 2^d time
and alsoe the Third time by Speciall Order of the house, and
past in the same words as the former.

A Bill Entitled An Act Ascertaineing the true force and
validity of the lawes of This province &c. read the second
time as alsoe the 3^d time by speciall order of the house, and
Past in the same words as the former.

A bill Entitled an Act against Excessive vsury Read The
Third time, and past in the same words as the former.

A Bill Entitled An Act for Takeing the oath of ffidelity to
the Lord prpr^y &c and the Oath of ffidelity, read the second
time, And Rejected, The Old Law standing in force

An Act Touthching Judicature and proceedings at law, Read
the second time and past to Ingrossment.

A Bill Entitled an Act for Rayseing a Supply for his Lōp
Extraordinary Occasions, Read the 2^d time & Voted a Third
reading

The vpper houses Bill Touthching Judicature and proceed-
ings at law Read the Third time and Referred To further
Debate

Bills past
this house
and sent
to the vpp^r
house.

Mr Burford Mr Rousby and Mr Brooke sent to the
Upper house wth all the bills past the house this day
being six in number and Entituled as followeth:

1 An Act for punnishment of Certayne offences
ag^t the peace &c.

- 2 An Act for Recording the Journall of the Lower house. Original Journal.
- 3 An Act for Killing of wolves.
- 4 An Act Appoynting Court dayes in every respective County &c.
- 5 An Act Ascertaineing the true force & validity of the Lawes &c
- 6: An Act against Excessive vsury.

Other bills Then was read an Act Touching Judicature and p. 37
 past. proceedings at law The Third time, and past the house in these words (viz^t)

Aprill the 22th 1684: The Lower house have Assented
 Signd p Ord^r C Boteler Cl: of the Low^r house &c:

A Bill Entitled An Act Toutching Leavying of warr & defraying the Publique Charges &c was read the Third time, and past the house in the same words as the former.

Then was drawne the following message (viz^t)

Lower house of Assembly Aprill the 22th 1684

A message
 about a Comtee Instant desire[d the U]pper house to appoynt
 of Accompts. some of their members, to Joyne in Committee
 wth some of the members of this house to state the publique
 Acco^{ts} of this pvince w^{ch} not being then done for reasones
 given by the vpper house in their answeare to the sayd mes-
 sage This house doe remind the vpp^r house Thereof And
 desire th^t some members of the vpper house may be
 appoynted to Joyne with some of the members of this house,
 to the purpose before desired.

Signd p Ord^r C Boteler Cl of the low^r house &c.

Cap^t Smith Doct^r Brooke Cap^t Peirce & M^r ffrizby sent to the Vpp^r house wth the the Two foregoeing bills, and the Last message.

They returne and say they have delivered the same.

Upon Debate of a bill sent from the vpp^r house to this house Entitled An Act Touching Judicature & was drawne the following message.

Lower house of Assembly Aprill the 22th 1684

Concerning
 the Two bills This house haveing received from the members
 Touching of their house Joyned in Committee wth the Hono^{ble}
 Judicature Coil Stevans and John Darnall Esq^r A bill drawne
 Touching Judicature and proceedings at law, w^{ch}
 this house Conceived was done According to agreement of
 the Grand Committee, and therefore past the same for the
 vpper houses Assent therevnto, And therefore say they

Original
Journal.

Cannot [Assent] to the bill sent from the Upper house for that purpose, In regard th[at B]ill Leaves Two much to discretion, which was the Inconvenience designed to bee prevented.

Signd p Ord^r C Boteler Cl of the Lower House &c.

Cap^t Orsborne and M^r Green sent to the vpper house wth the foregoing message. They returne & say they have Delivered the same.

Coll Burgess & Maj^r Sewall brings from the vp^r house Three bills (Viz^t)

Three bills
Assented too. An Act for Appoynting Court dayes in Each respective County &c.

An Act for recording the Journall of the Lower house &c and

An Act ag^t Excessive vsury: which sayd Three bills were Severally Assented too by the vpper house In these words ffollowing (Viz^t)

p. 38 Aprill the 22th 1684: The Upp^r house have Assented
Signd p Ord^r John LLewellin Cl of assembly

The sayd Messengers alsoe bring the following message viz^t

Upper House Aprill 22th 1684

A message
in Answer
To the six
bills. Upon reading the severall bills brought to this house this day by M^r Attor Gen^l M^r John Rousby and Doctour Brooke This house have passed

That for Appoyntment of Court dayes in each respective County.

That for recording the Journall of the Lower house, and That Ag^t Excessive Usury

B[ut to the] Other Three bills returne Answer as followeth (viz^t)

Concerning the bill Ascertainyng the true force and Validity of the lawes of this province, This house doe say th^t Three yeares time being given for tryall and Experience of the Temporary lawes, wee Cannot in reasone ppose less time to his Lopp. to Consider of what perpetuall lawes, shall bee p^rsented to him, To signify his approbation or disassent thereto, And wth this Amendm^t Onely, this house will pass the said Bill.

As to the bill for killing of wolves, This house doe say th^t the Act for killing of woolves made Anno 1671: Although Temporary was perpetuated in Anno 1676: & as such ought to remaine, among the perpetuall lawes vnless the same be deemed a needless or useless law, and then it ought to bee repealed before such time as it Cann be Reduced to its former Temporary Estate.

And as to the Other bill for punnishment of Certayne

offences &c^a This house doe say th^t the Act made, An^o 1649 Original Journal.
& 50: is sufficiently & well enough exprest and doe Conceive
th^t the maine end and designe of both houses in the grand
Committee, in the amendment of the same, was onely to Take
off the severity of the punnishment of delinquents therein pre-
scribed, Leaving to the discretion of the Justices, to Inflict
any One or more of the severall punnishments therein numer-
ated, w^{ch} this house is willing [may] be Moderated by award-
ing one of the sayd punnishments & noe more At one time, to
be Inflicted vpon any delinquent att the discretion of the sayd
Justices and as the Demirratts of the cause shall require, And
desire the Low^r house will provide accordingly by a Supple-
mentary Act to pass this Sessions.

And herevnto desire the Concurrence of the Lower house.

Signd p Ord^r John LLewellin Cl: of Assembly

The sayd messengers alsoe bring into this house, the 3 bills
in the above message mentioned not Assented too by the vpp^r
house.

Coll Stevens brings a message from the Vpp^r house w^{ch}
being read: follo^w

Upper house of Assembly Aprill the 22th 1684.

A message
giveing notice
that his
Lōpp will
meet both
his houses
to morrow.

The Lower house is Desired to Expedite to this
house whatt bills & Other Business, they have p. 39
before them this Night, His Lōp: now in the vpp^r
house haveing Signified to this house his resolu-
tion of meeting both houses tomorrow morning to
discourse with them fully his sentiments vpon the
severall bills prepared in Order to put a speedy end to this
sessions.

Signd p Ord^r John LLewellin Cl of Assembly

The Supple-
mentary
Act, read
the first
time.

The Committee for drawing the supplementary
Act Come into the house & p^rsent A bill Entitled
A supplementary Act to the Act for Advancement
of Trade which was read the ffirst time.

Coll Diggs brings a message from the vpper house w^{ch}
being read is as follows.

Upp^r house Aprill 22th 1684:

A commtee
of Accounts
appoynted
by the vpp^r
house.

The Hono^{ble} Coll William Diggs & Coll William
Burgess nominated & appoynted by this house to
joyne in Committee wth some of the members of the
Lower house to Inspect and state the publique
Acco^{ts} to morrow morning Seven a Clock.

Signd p Ord^r John LLewellin Cl of Assembly.

In Answere wherevnto was Drawne the following message.

Original
Journal.

Lower house of Assembly Aprill the 22th 1684.

The same
by the Lower
house

This house have appoynted Cap^t Smith, M^r Clem^t Hill, and M^r James ffrizby to Joyne in Com- mittee with the hono^{ble} Coll William Diggs & Coll Burges, by the Vpper house Appoynted, to settle, state, and Inspect the publique Acco^{ts} of This province, and shall be readie to meet at seven a Clock to morrow morning as Desired.

Signd p Ord^r C Boteler Cl of the Lower house &c.

w^{ch} message being read and signd was sent to the Vpper house by maj^r Long and M^r francis Hutchings.

Upon Consideraccōn of The message this day sent from the vpp^r house by Coll Stevens, was Drawne the following, Answere theretoo.

Lower house of Assembly Aprill the 22th 1684

Answere
to the message
desireing Ex-
peditteing
of busines.

All bills which have been assented to by this house are already Transmitted to the vpper house. There being Other bills which have had their first reading in this house and soe soone as perfected shall bee presented to the Upper house for their Assent:

Signd p Ord^r C Boteler Cl of the low^r house &c

Which message being read and signed was sent to the vpp^r house by Cap^t Orsborne and M^r ffrisby.

Order for
A message
to be drawne.

Ordered Thatt M^r Attourney Generall and M^r John Rousbye drawe vpp a message in Answere to the message of the vpp^r house This Day sent, by Coll William Burgess and M^r Secry Sewall with The Six bills and p^rsent the same to this house by seven a Clock To morrow morning

The House Adjourne Till To morrow morning Seven a Clock

p. 40

Wednesday Aprill the 23th 1684

The house mett and Called all p^rsent as Yesterday

Then was read what was done yesterday

Then Cap^t Orsborne Gave Account to the house, th^t The vpp^r house was Adjournd soe th^t he could not deliver the message sent by him and M^r ffrizby last Night:

Ordered that the sd Cap^t Orsborne & M^r Green goe againe wth the same.

They returne and say they have delivered it.

A bill
Impowering
the Burgesses
to press boat
and hands &c:

Then was read a bill Entitled An Act Impower- ing the Burgesses to press men Boates &c. for their more Speed & Convenient Coming to ffuture Assemblies

[Then Came] M^r Clemment Hill from the Comm^{tee} of Acco^{ts} And desires to have a Coppy of [the] Rates and prizes of liquors settled by this meeting of Assembly. Original Journal.

George Robins w^{ch} is Given to him he alsoe desires the Opin-
pet. Allowed ion of this house Concerning A peticcōn of
1200lb Tobacco. George Robbins, who prayes Allowance for a
boat and hands and himselfe vpon a publique message to his
Lōpp.

Voted he be Allowed 1200 pounds of Tobacco,

James Ben- Hee alsoe prayes the Opinion of this house Con-
sones pett cerning a peticcōn of James Bensone, who prayes
Allowed Allowance for Cureing an Indian by Ord^r of Coll
1000lb Tob: Lloyd.

Voted he be Allowed One Thousand pounds of Tobacco.

W^{ch} being Endeorsed vpon the peticcōns he returnes.

Then Came M^r Attourney Gen^{ll} & M^r Rousby & p^rsent the
foll paper (viz^t)

Low^r house of Assembly Apr^{ll} the 23th 1684

A message In Answere to the message yesterday brought by
Concerning Coll Burgess & Maj^r Sewall Concerning severall
severall bills sent by this house for their Assent.
Bills.

As to the bill Ascertainyng the true force and
Validity of the Lawes of this pvince wherein the vpp^r house
were pleased to say, they could not in reasone ppose less
time, then Three yeares for his Lōp. to Consider of his appro-
bation or dissent To such perpetuall Lawes as should be
presented to his Lopp:

This house is not a little surprized therein in regard the bill
Tendered by this house for the Assent of the Vpp^r house, is
but a meer Transcript of the like bill sent from the vpper
house for this houses Assent, Thereto: To w^{ch} this house had
noe reasone to doubt of the vpper houses readyness to pass
the same Especially for that the sayd vpper house of
Assembly, by a message [of] the 17th of September 1681:
were pleased to acquaint this house, that his Lopp Com-
manded the vpper house To signify to this house That his
Lop did pmise and Ingage that in his absence out of this
province, wthin Eighteen months after the passing of any
Lawes of this province, by the Vpp^r & Low^r houses of
Assembly, his Lōp would signify his Assent or dissassent
Therevnto In Confidence whereof this house was Induced,
freely to Offer the said Bill, for the Vnquestionable Assent of
the vpp^r house, since more time in the sd bill was offered for
his Lōps Assent or dissassent then in the sayd message was
Intimated to be his L^{opps} pleasure.

Original
Journal.
p. 41

And as to the bill for punnishment of Certayne offences &c This house doe agree that the maine end and designe of both houses in the grand Com^{tee} was to take Off the severity of Inflicting many and severall punnishments for One Offence and still hope that the bill Humbly Offered by this house to the vpper house will answere that end being perswaded that there is noe Alteraccōn between the Act now offered and the former, but in that particular, And were this house sencible of any materiall deviation from what was agreed on they would very readily Amend.

As to the Act for killing of woolves, This house Caused that bill to be drawn & past this house, pursuant to the Agreem^t of the Grand Committee of both houses.

Which paper being Read, Ordered that the same be Transcribed [and signed by the] Clerke of this house, which being done, the same was sent to the vpper house by Cap^t Hill and M^r Hutchings;

The messengers returne and say they have delivered the same.

The supple-
mentary act
read the 2^d
time.

The bill
Impowerin
the Burggesses
to press &c
read the 2^d
time

Then was read a bill Entitled An Additionall and supplementary Act to the Act for Advancement of Trade and past to Ingrossment.

Then was read an Act Impowering the Burgesses to press Boats men &c The second time, by speciall Order of the house, and reffered to ffurther debate.

Then Came Coll Taylor and Coll Stevens from the vpp^r house and p^rsents the ffol paper w^{ch} being read Imports as followeth

Gentlemen of the vpper house of Assembly

His Lopps
declaracōn
to the vpper
house.

I have Thought fitt to signify to you by this, th^t haveing seen in yo^r house some bills lately sent you by the Lower house, in w^{ch} there are some alteraccōns desired by the lower house to be made, in some of the Auncient perpetuall Lawes of this province, I must for the quicker dispatch of the business of this Assembly (I haveing but few dayes more to spend with both houses) Declare that many of those Alteraccōns, Inserted in the sayd bills, are such as I shall not be willing to Allow off; And because I would have noe bills presented vnto me by this Assembly, the Day of the sessions, But such as I may safely & be willing to sett my hand unto, I Doe now declare whatt alteraccōns I will Allowe of, and to w^{ch} I will be ready to sett my hand, when the bills are presented, Desireing that what I now declare by this may not be drawn Into Example, and become presidentiall

in future Assemblies for my doing this (as I have said afore) ^{Original} is Onely to put a Speedy end to this meeting, which my Other ^{Journal.} affaires fforcess mee too.

ffirst: As to the Alteraccōn desired to be made in the Act Touching Judicature It is not safe to have Justice Administred, According to the Lawes of England where the lawes of this province Are silent, without due regard had by the Governo^r or Cheife Judge and the Justices in Court to the Consistency of such Lawes of England, to the Constitution and p^rsent Condictiōn of this province, It seeming to me vnreasonable, That since his Majesty of ever blessed memory, out of ^{p. 42} the fullness of his Royall power, was Graciously pleased to permitt mee with the Consent of the freemen to make such wholesome Lawes as should be Consonant to reasone and not repugnant to the Lawes of England, I should by an Act Oblige and tye vp the freemen of this province to be Concluded by such of the Lawes of England, as may Ruin them or att least be greatly Injurious to them In severall respects, I am therefore willing to Admitt of this Alteraccōn, That where the Lawes of this pvince are silent Justice may be Admistred, According to the Lawes of England If the govern^r or Cheife Judge and the Justices of my Court, shall find [such] Lawes Consistent with the Condictiōn of this province; To a bill wth this Alteraccōn I will sett my hand, but not Otherwise.

Secondly: The Alterations desired in the bill, for punnishing Certaine Offences against the peace and safety of this province, I doe Except ag^t being willing to Allow of this amendment Onely, That where it is left to the Court to Order One or more of the punnishments, Ennumerated in the Old Act for punnishing et^c that the Court shall be restreyned to One or two of the sayd Punnishments in the sayd Act: With this amendment and noe Other Alteraccōn, I shall be Contented, and will sett my hand to a bill to be drawne for That purpose Onely, and not Otherwise.

Thirdly: To a bill Touching leavying of warr & defraying the publique Charges of the province; Sent vp to you from the Lower house, I Conceive it time lost for you to meddle with it, for the Old Act is at this time suspended And will be soe perhaps Dureing my life, Soe that neither the Gentlemen of the Lower house nor your selves, need be fearfull or Jealousie of me in the Execution of that Act, But were it not suspended, and that I should vpon any warr that might happen, have Occasion to make vsse of it, I Doe here declare that as I have had, soe I still shall have A desire that a Assembly may be Called, To be present at the defraying the Charge of any such warr, soe desirous I am of giving all manner of sattisfaccōn in that particular to the freemen of my province.

Original
Journal.

Upp^r house Aprill the 23th 1684

This house haveing this morning recd. a paper from his L^{opp} have Caused the same to be Coppyed out as before, and Communicate the same To the Lower House.

Signd p Ord^r John LLewellin Cl of Assembly

M^r Scry Sewall & Esq^r Pye, bring from the vpper house a message, w^{ch} being read is as followeth, (viz^t)

Upper house of Assembly Aprill the 23th 1684

His L^dsps further Declaration. His L^{sp} being present in this house since the receipt of the last message by Cap^{ta} Hill & M^r Hutchings, was pleased to declare as followeth (Viz^t)

p. 43 To the bill for Ascertainyng the true force and validity of the Lawes of this province, I give this Answer, that though I owne my promise & Engagement to both my houses, of Assembly, made in September 1681 (Viz^t) That in my absence out of this province, I would signify my assent or disassent to any of the Lawes within Eighteen months, yet Doe I not think it Convenient to Obleige my heires and successors by an Act to those Inconveniencies & mischeifes, That may happen by their Assenting or disassenting to Any Lawes within Twenty months That shall bee made perpetuall Dureing such their Absence.

The bill sent you by the Lower house, for the makeing temporary that law Touching Woolves, If it be not deemed a good law let it be Repealed for soe it must be afore it Can be reduced to its first state. And for any of those Other Acts made perpetuall in 1676: Viz^t) The Act for Two shillings per hh^d And the Act for Impowering the Governo^r & Councill, to make warr or peace &c^a I am ready to give both houses such satisfaccōn, as in reason They cann desire At my hands.

Signd p Ord^r John LLewellin Cl &c.

The last
Two messages
Debated
And
Vote therevpon

All the Committees sent for to repaire to the house, who being Come the Two last messages were Read in a full House, And after a long and Serious Debate vpon the same,

The Question was Putt whether this house shall proceed further vpon the Address to his Lōpp Touching the Lawes Yea or Nay.

Voted in the Negative.

The house Adjourne Till To morrow morning seven a Clock.

Thursday Aprill the 24th 1684

Original
Journal.

The house mett and Called, all p^rsent as yesterday

Then was read what was done yesterday.

Then was Debated the bill Impowering the Burgesses to
press men boates &c: And rejected.

Naturalize-
ing bills read. A bill for Naturalizeing Jacob Seth read the
second time.

A bill for Naturalizeing Nicholas Verbraach, Read the
second time & Referred to a full house.

A Bill for Naturalizeing Peter Bayard & Others read the
second time.

The Sup-
plementary
Act past this
house. The Committee for drawing vp the Supplement-
ary Act To the Act for Trade present the sayd bill
ffairly Ingrossed: which being read the Third time
past The house in These words: (viz^t)

Aprill the 24th 1684

The lower house have Assented

Signd p Ord^r C Boteler Cl of the low^r house &c

Mr Hutchings and Major Weekes sent to the vpp^r house
wth the sayd Bill.

Concerning
the Bill of
reviver. Then was read A Bill Entitled An Act for revive- p. 44
ing the Temporary lawes of This province The first
time.

Putt to the question whether the members of This house in
the severall Committees shall be sent for to debate the sayd
Law,

Voted in the Affirmative

The Committees sent for by a messenger, and Come Into
the house.

Then was read the Act for reviveing the Temporary lawes
the second time by Speciall Order of the house: And the
Question being putt whether the Act for killing of woolves
shall stand in the bill of reviver [of the] Temporary Lawes as
it is now drawne Yea or Nay:

Voted In the Affirmative.

Wherevpon the sayd Bill for reviveing the Temporary
Lawes was read the Third time by speciall order of the house
and past this house in These words (Viz^t)

Aprill the 24th 1684

The Lower house have assented :

Signd p Ord^r C Boteler Cl &c

The sayd bill then sent to the vpp^r house by Cap^t Smith &
Mr Hatton.

Original
Journal.

They returne and say they have delivered the same.

Naturalizac-
con bills

Read and pas.

The bill for Naturalizeing Jacob Seth: read the
3^d time by speciall ord^r of the house and past in
these words (Viz^t)Aprill the 24th 1684The Low^r house have Assented.Signd p Ord^r C Boteler Cl of the Low^r house &c

The bill for Naturalizeing Nicholas Verbraach: read the 3^d
time by Speciall Ord^r and past this house in the same words
as the former.

The Bill for Naturalizeing, Peter Bayard, and Others. Read
the Third time by speciall Ord^r of the house, And past in the
same words as the former;

Then was drawne the following message (viz^t)

Lower house of Assembly Aprill the 24th 1684Concerning
a fee to Mr
Speaker
vpon private
Acts and an
Augmentation
to the Clerkes
fee.

Vpon reading the severall Bills of Naturaliza-
tion of the severall persones therein named, This
house hath Considered, that there hath been
vsually payd To the Speaker of the house of
Commons in England a Considerable fee vpon
The passing any private Act, This house haveing
seriously debated the same, Resolved

That all persons that shall be naturalized, This present ses-
sions of assembly, Doe respectively pay vnto the speaker of
this house The sum of Twelve hundred pounds of Tobacco
for the fees of their Naturalizaccōn, And that the like fee be
pd to the Speaker of the Lower house for the future, And
That the Clerkes fee of the Lower house be Three hundred
pounds of Tobacco for Every Naturalizaccon & noe more And
this house desires the Concurrence of the vpp^r house herein.

Signd p Ord^r C Boteler Ck of the Lower house &c

P. 45. Coll Stevens
prayer an
Amendment
of the Supple-
mentary
Act.

Then Came Coll Stevens from the vpper house
and sayes he has Order to Informe this house,
That there was Notice given of a mistake in the
Act for Advancement of Trade, Concerning a
port towne or place of Trade in Wighcocomoco
River in summesett County, which place in the sayd Act is
mentioned to be vpon the land next above the land of the
Orphanes of Charles Ballard whereas the same should have
been mentioned to be vpon a parcell of land Called Lotts
wife or the land w^{ch} was formerly William Writes, w^{ch} mis-
take is not Amended in the Supplementary Act, to the great

Inconvenience of the Inhabitants of the sayd River, Therefore Original Journal.
desire the same may be mended

He alsoe bringeth the sayd Supplementary Assented too In
these [words] (viz^t)

Aprill the 24th 1684:

The vpp^r house have Assented:

Signd p Ord^r John LLewellin Cl of Assembly

Coll Stevens alsoe brought a message at the same time
which being read ffoll (viz^t)

Upper house Aprill 24th 1684:

A message
for the bills
of Naturaliza-
con.

The Additionall and supplementary Act, to the
Act for Trade hath passed this house, and is now
sent Back to the Lower house who are desired to
returne to this house, The severall Bills before them for Natu-
ralizaccōns wth their Assent Thereto:

Signd p Ord^r John LLewellin Cl of Assembly

Then was M^r Burford M^r Carvile and M^r Rouseby sent to
the Vpper house wth the Three bills for Naturalizaccōns and
the message, about a fee to the Speaker.

They returne and say they have delivered the same.

The Committee
of Accts report
their proceed-
ings.

Then Came the members of this house from
the Committee of Acco^{ts} & Report to this house
the Allowances by them made, w^{ch} being Rattified
by this house, The sayd members are Ordered to
prepare a bill for payment of the Publique Charges, soe farr as
they have proceeded in Allowances.

Mr Clement
Hill prayes
Allowance
for a horse
lost by him.

M^r Clement Hill a member of this house, desires
to bee Allowed, for a horse by him lost from S^t
Maryes Two yeares agoe, when he was in service of
his County as a delegate thereof.

Vote therevppon. Voted That M^r Hill ought to be payd for the
said horse, And by S^t Maryes County for w^{ch} he was & is a
Delegate.

Then Came Coll Darnall from the vpper house and brings
wth him the Act of Reviver of the Temporary Lawes, and the
following message (viz^t)

Vpper house Aprill the 24th 1684

Concerning
the bill of
reviver of
the Temporary
Lawes.

Vppon reading the bill for reviving the Tem-
porary Lawes of This province this house doe say,
that the words (Soe farr as the Court shall Judge
them not inconsistent wth the Condictōn of this
province w^{ch} is not to stand revived) relateing to the Act Con-

Original
Journal.
p. 46 cerning pceedings at Law Ought to be raced out of the sayd
bill, And the Act for Killing of woolves is a perpetuall Law,
soe made Anno 1676: And Cannot properly be brought into
A Bill of Reviver Butt if both houses shall Deem the sd Act
vnnecessary or of noe vse the same ought to be repealed.

This to bee Considered and Accordingly provided for by the
Lower house in the Reviveing Act before this house can think
of passing the same soe absolutely Contrary to the result of
his Lord^{sp} vpon sound Reasones given to this house and
Communicated to the Lower house in a message from hence
yesterday.

The Lower house is desired to have their Assent to the
Bill for Naturalizacōn [of Ja]cob Seth (Imperfectly sent vp to
this house) now plainly Expressed & [returne]d to this house:
Signd p Ord^r John LLewellin Cl of Assembly

Ordered That The Assent of this house To the bill for
Naturalizeing Jacob Seth be made [pl]aynely Expressed w^{ch}
was done.

ffurther debate vpon the Act for killing of woolves, referred
till tomorrow.

M^r Secry Darnall from the vpper house brings the following
message (viz^t)

Upper house Aprill 24th 1684

A message
Concerning
a day of
Session and
hearing
Errors. His L^{opp} haveing referred the day of Session
(appoynted to be this day) vntill Satterday next,
This house have determined to heare the Error^s here
depending Argued before Them some time to mor-
row, If the Lower house Can Conveniently spare
their members therein Concerned as Attorneyes On Either side
to which this house desire an Answer.

Signd p Ord^r John LLewellin Cl of Assembly

Answer there-
vnto. In Answer to the Last message from the vpper
house by M^r Secry Darnall Concerning a day of
sessions and the Argueing erro^r M^r Carville and M^r Burford
were sent to the vpper house to Acquaint them that this
house, hath much business before them And vnderstanding
that the Clerke of this house is Concerned as An Attourney
in some of the Cases To be Tryed, doe signify that if this
house can spare their Clerke from the vrgent business of this
house Towards The Afternoon Tomorrow The vpper house
shall receive further [notice] thereof ffrom this house.

The house Adjourne till Tomorrow morning 7 a Clock

Fryday Aprill the 25th 1684:

Original
Journal.

The house mett and Called, all present as yesterday:

Then was read what was done yesterday

A vote Con-
cerning the
Act for
killing woolves

Vpon further debate concerning the Act for killing of woolves Voted by this house, That the Act made for killing of wolves in Anno 1671 be left out of the reviveing bill, because it appears to this house that the sayd Act being made Temporary is Expired, & Cannot properly take force againe without a new bill drawne and past both houses wth his L^{ops} Assent.

Debate
vpon the
bill
Reviver.

Then was read a bill Entitled an Act for reviveing the Temporary Lawes of this province The Act for proceedings at lawe & the Act for killing of woolves being left out of the sayd bill. p. 47

Putt to the question whether the sd Bill of Revivall shall pass the sayd Two Acts being left out as aforesd.

Past in the Affirmative

Cap^t Hill and Cap^t Peerce sent to the vpper house with the sd Bill of revivall & the Bill for Naturalizeing Jacob Seth.

They returne and say they have delivered the same:

The Supple-
mentary act
amended and
sent vpp:

Mr Carvile then sent to the vpper house, wth the Supplementary Act to [the Act for] Advancement of Trade, And Ordered to Notice to the vpp^r house that [the said] bill is mended by drawing over the Two first sheets and Incerting the [words] Therein as was desired by the verball message by Coll Stevens.

He returnes and sayes he hath delivered the same, at that, the vpp^r house

That as soe soone as they have perused the bills they will returne them.

Lower house of Assembly Aprill the 25th 1684

The Attour-
neys spared
to the hearing
Errors.

The members of this house that are Attourneyes in the Tryalls vpon writts of Erro^r in the vpper house, have now the leave of this house, to Attend the same as was desired by the vpp^r houses message yesterday.

Signd p^r Order C Boteler Cl of the Lower house &c.

w^{ch} message being read and Signd was sent the vpp^r house by M^r Burford.

The house Adjournes Till Three A Clock afternoon

The house mett and called all p^rsent as before

Report of
the Com-
mittee of
Acco^{ts}

The Committee of Acco^{ts} proceed to report to this house their further Allowances, since yesterday: w^{ch} are approved of by this house, And Ordered to bee Added to the bill for payment of the publique Charge.

Original
Journal.Severall
bills return-
ed assented
to by the vpper
house.

Trade.

Maj^r Sewall and Edward Pye Esqr bring from the vpp^r house The ffollowing bills, Assented Too by the vpper house, (viz^t) An Additionall & supplementary Act to the Act for Advancem^t of Trade.

An Act for reviveing the Temporary lawes of this province And Three severall bill for Naturalizaccōn, as alsoe a mes- sage which being read is as followeth (viz^t)

Upper house Aprill the 25th 1684A message
about repaires
of the State
house.

The necessary repaires of the State house recommended by this house to the Consideraccōn of the Lower house, This house desires may be Expedited and sent vp to this house for their Concurrence.

Signd p Ord^r John LLewellin Cl of Assembly

The debate therevpon Referred To the Consideraccōn of a full house.

The house Adjourne Till To morrow morning seven a Clock.

p. 48

Satterday Aprill the 26th 1684The house mett and Called all p^rsent as Yesterday.

Then was read what was Done Yesterday.

Mr Ennalls
absence
Considered

Proposed by a member of this house, that the Case of M^r Bartholomew Ennalls A member of this house for Dorchester County, being absent from this house; this [whole] meeting be taken Into Consider- accōn, Wherevpon Doctour Jn^o Brooke the [other] Delegate for the sayd County, In Excuse of the sayd M^r Ennalls sayth

Doct Brookes
gives reasone
for his Absence
which

that, A few [dayes] before the meeting of this Assembly, some servants of M^r Ennalls had Robbed the [sayd] master of divers goods to a Considerable vallue, and had alsoe Taken away [his Shallope] and runn away with the shallop and goods to Virginea, and that M^r [Ennalls] in pursute of them, But wth resolution to returne time enough to [give] Due Attendance, vpon this house, But since he is not come he sayth he [fears at present] that some Extraordinary Accident hath happened to him, and [hopes] he may be Excused. Voted that the Excuse made by docto^r Brooke [in the] behalfe of M^r Ennalls

Is not
Admitted.

be not Admitted: [And] it is therevpon further Voted: That the sd M^r Bartholomew Ennalls [be fined] Tenn pounds Sterling: vnless the said M^r Ennalls, Doe make such lawfull excuse To the lower house of the next Assembly for his absence this meeting, As by the sayd Lower house of Assembly shall bee Admitted And Entered vpon their Journall In discharge of the sayd fine

Coll Diggs from the vpper house, Acquaints this house, Original Journal. that if this house have prepared all the Publique business, His L^{opp} is ready to Conclude this sessions. He alsoe delivers a message which being read is as ffolloweth:

Uppr house of Assembly, Aprill the 26th 1684

A fee for
stateing
the publike
leavy desired.

The Publique Leavy of this province haveing been vsually stated by the Clerke of this house, by order and Appoyntment of his L^{opp} wherein great Care paines and Labour hath been vsed, This house vote and thinke necessary That a fee or gratuity for the same be settled vpon the said Clerke or that the lower house would now in future Assemblyes see the same Ellected before the adjournment prorogation or dissolution of such Assembly
Signd p Ord^r John LLewellin Cl of Assembly

The bill for
payment
of the publike
Charges past:
and

Then was read a bill Entitled An Act for payment of the publike Charges of this province, The first, second and alsoe the Third time by Speciall Ord^r of the house, And past in these words (viz^t)

Aprill the 26th 1684 The Lower house have Assented
Signd p Ord C Boteler Cl of the lower house of Assembly

Sent vp: wth
Answer
to the message
about a fee
for
the Leavy

Mr Carvile and Cap^t Orsborne sent to the vpp^r house wth the sayd bill, And In Answer to the Last message in writeing are Ordered to Acquaint the vpp^r house That there is vsually vpon Every Leavy, a Considerable sum of Tobacco as a fraccōn remayning, w^{ch} this house is Content, should be payd to M^r LLewellin he being Accomptable to the next Assembly p. 49 for the same Out of which hee may bee Allowed reasonable satisfaction for his paynes In stateing the Leavy.

Thē booke
Roles of lawes
and Journalls
returned.

And if no such fraccōn remayne, then to bee Allowed by the next Assembly. M^r ffrizby Sent to the vpp^r house wth the bookes and Roles of lawes, And alsoe the Journalls, w^{ch} have been vsed in the Lower house this Assembly.

Then Came M^r Secry Darnall And desired the proceedings of the Committee of Accounts may be Transmitted to the vpper house, as alsoe the Oath of fidelity drawn [up by the] Committee of both houses.

Cap^t Hill and M^r Brooke sent with the same to the vpper house.
Ordered that the Clerke of this house Transcribe the Journall of the Gr[and Committee] Into the Journall of this house, Keepeing the due Rule and Order of time in sayd Journalls, to make them agree in themselves, as they ought.

Original
Journal.

Then Came Coll Diggs from the vpper house, and brings the bill of the Publique Charge Assented by the vpp^r house in these words (viz^t) .

Aprill the 26th 1684 The vpper house have Assented
Signd p Ord^r John LLewellin Cl of Assembly

He alsoe Desires this house to hasten the business of this Assembly To a Conclusion Wherevpon This house Goe into the vpper house, Where his L^{opp} Demands what bills have been prepared by both houses to w^{ch} his Assent is desired.

Therevpon M^r Speaker p^rsents To his L^{opp} the following bills One by One reading the Titles as he delivers them w^{ch} are as foll: (viz^t)

1. An Additionall and Supplementary Act to the Act for Advancem^t of Trade
2. An Act for Appoynting Court dayes In each respective County &c
3. An Act for recording the Journall of the Lower house of Assembly
4. An Act for reviveing The Temporary Lawes of this province.
5. An Act Against Excessive vsury.
6. An Act for Naturalizeing Peter Bayard, Arnoldus De la Grange & Others.
7. An Act for Naturalizeing Jacob Seth.
8. An Act for Naturalizeing Nicholas Verbraach and
9. An Act for payment of the Publique Charge of this province.

His Lops To all which bills his L^{opp} gave his Gracious Assent
Assent. in these words ffollowing viz^t Wee will These To be
lawes C Baltemore

And Commanded the great Seale of this province to bee Therevnto affixed w^{ch} was Done by the hono^{ble} The keepers In the p^rsence of both houses, And Subscribed In these words (viz^t)

Aprill the 26th 1684

Published vnder the great Seale

Henry Darnall } Keep^{rs}
W^m Diggs }

p. 50 Then his L^{opp} As directing himselfe to both houses of Assembly, sayth That Whereas severall Disputes have Arisen concerning the validity of those Acts of Assembly made and Assented to by his Leiv^t Genr^{ll} Thomas Notley Esq^r [in the yeare] 1678: for preventing whereof for the future, He now signifyeth [his Disa]ssent to all such of the sayd Lawes, as he hath not before this time Disassented too.

His Lōpp alsoe giveth Command to his Secretaryes, that they Carefully [keep all] the Originall lawes of this province from all persones whatsoever [that they] may bee in noe danger of being any wayes Endammaged Torne bezelled

sayth that whereas severall Disputes have Arrisen And [different con]structions made of those words (more or less) In his L^{opps} and his Lopps grants or pattents for land, mentioned,

His Lopp now declares, That his ffather the Right Hono^{ble} Cæcillius &c [of noble] memory, never meant any Other quantity or thing thereby Tenn Acres in the hundred, And that with Intention to save the [errors] of such persones as were Commissionated to survey lands in this province, who though the best that could be found, yet were not soe good Artists as to survey and sett forth lands between his Lōpp & the good people of this province without the Allowance aforesd, And his L^dsp now declares that his meaning and Intention by the same words, is the same as is aforesd, And that for the surplussage of Tenn p Cent as aforesd noe psone shall be any wayes Troubled or molested, But may Injoy the same by the sayd words in their sayd Grants, but not any Greater quantity whatsoever.

His Lōpp ffurther declares That at the next meet of Assembly he expects all the members thereof shall Take the Oath of ffidelity

Then his L^{opp} prorogued the Assembly Till the first Tuesday In Aprill w^{ch} shall bee in the yeare of our Lord 1685.

And soe Ended Thiss Sessions of Assembly vpon The Twenty sixth day of Aprill in the Ninth yeare of The dominion of The Right Hono^{ble} Charles Absolute Lord and proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore &c Over his sayd province of Maryland Annoq Dni One Thousand six hundred Eighty and ffour

C Boteler } Cl of the Lower
 } House of Assembly

Charles Absolute Lord and propieta^r of the provinces of Maryland & Avalon Lord Baron of Baltemore &c. To the Sherriffe of Ann Arundle County Greeting: By the Advice and Consent of our vpper and Lower houses of Assembly: Held att the City of St Maries the first day of Aprill: one thousand six hundred eighty foure: Wee haue ordained & Enacted Certain Lawes: (Viz^t)

Lib. W. H.
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Lib. W. H.

An Act for payment and Assessinge the publique
Charges of this Province

Whereas there hath been Two hundred and five Thousand nine hundred and eleven pounds of Tobacco Expended layd out and disbursed by the vpper & lower houses of this p^rsent Generall Assembly and by severall others the Good people of this province for the publique Good of the same. And to the intent that the same may be Sactisfied & paid to those p^rsons to whome the same is Due:

Be it therefore Enacted by the Right Hono^{ble} the Lord Prop^{ry} by & wth the Advice and Consent of the vpper and Lower houses of this p^rsent Generall Assembly & the Authority of the same That the said Two hundred and five thousand nine hundred & eleven pounds of Tobacco be paid in Manner And forme As is hereafter Expressed: (that is to say) to Thomas Casey sixteen hundred pounds of Tobacco: To John LLewellin two Thousand pounds of Tobacco: To James Benson one thousand pounds of Tobacco To George Robins twelue Hundred pounds of Tobacco: To John Larkin five and Twentie hundred pounds of Tobacco To George Burges: Two Thousand and forty pounds of Tobacco: To Marke Cordea Twenty Thousand seven hundred sixty four pounds of Tobacco: To p. 259 Willm Taylor sixteen hundred pounds of Tobacco To Garret Vansweringen ffifty one thousand two hundred seventy five pounds of Tobacco To John Baker Thirty thousand Three hundred and twelue pounds of Tobacco, To ffrancis Luther eight hundred & forty pounds of Tobacco To Coll^l Phelemon Lloyd Twelue hundred pounds of Tobacco: To John Edmonson foure hundred pounds of Tobacco, To Henry Exon Three Thousand four hundred Eighty one pounds of Tobacco: To John Saxon Three Thousand Eight hundred pounds of Tobacco: To John Lewellin six Thousand pounds of Tobacco To Charles Butler six thousand pounds of Tobacco To Thomas Bland Three Thousand five hundred pounds of Tobacco: To James Cullen Three Thousand five hundred pounds of Tobacco To Anthony Vnderwood Three Thousand five hundred pounds of Tobacco: To John Blomfeild Three Thousand five hundred pounds of Tobacco: To Joseph Norwood Eight hundred pounds of Tobacco: To Thomas Burford Two Thousand five hundred pounds of Tobacco: To Francis Hutchins Two Thousand five hundred pounds of Tobacco To Richard Hall Two Thousand five hundred pounds of Tobacco: To William Richardson Two Thousand five hundred pounds of Tobacco To Philip Linnes Twenty five Thousand five hundred twenty foure pounds of Tobacco To Garret Vansweringen Eight Thousand seventy eight pounds of

Tobacco To Henry Exon foure hundred ninty fue pounds of Lib. W. H.
Tobaccoe: To Marke Cordea Three Thousand Three hundred
forty eight pounds of Tobaccoe To Philip Lynes Two Thou-
sand Three hundred Thirty eight pounds of Tobacco: To
Alexander Kemmont four hundred pounds of Tobacco: To
John Baker foure Thousand nine hundred & sixteen pounds
of Tobacco: And to the severall sherriffes of this province for
theire Sallery for Collecting the same The sume of twenty
thousand fue hundred Ninteen pounds of Tobacco: And be
it further Enacted by the Advice Consent and Authority
Aforesaid that the Aforesaid summe of Tobacco Amounting
in the whole to the sume of two hundred Twenty six Thou-
sand fue Hundred & Two pounds of Tobacco: Be Levyed and
Assessed by An Equall Assessment vpon the psons & estates
of the Inhabitants of this province And be paid to the severall
persons to whome the same is Due: Accordinge to the
Accompts & Disbursments & Nessasary Charges of this Prov-
ince which haue Been Examined Stated & Allowed by the
vpper & Lower houses of this present Generall Assembly:
Any Law Statute or Vsage To the Contrary hereof in Any-
wise Notwithstandinge

An Additionall & Supplementary Act to the Act for
Advancement of Trade

Whereas An Act was Lately Made Att the first Meeting of
this present sessions of Assembly begun the second day of p. 260
october in the yeare of our Lord one Thousand six hundred
eighty Three Att the Ridge in Ann Arundle County: Entituled
An Act for Advancement of Trade. It Was Amongst other
things therein Contayned Enacted That from and After the
last day of August in the yeare of o^r Lord one thousand six
hundred Eighty fue The Towns ports and places: in the said
Act Mentioned should be the ports and places where All
shipps & Vessells Trading into this province shall vnloade &
put on shore sell and barter & Traffique Away all Goods wares
And Commodities That shall be imported into this province
And likewise That All Tobaccoes Goods Wares & Merchan-
dizes of the Growth production or Manufacture of this prov-
ince intended to be sold here or Transported out of this prov-
ince shall be for that end and intent Brought to the said ports
And places. And whereas severall of the Inhabitants in
severall of the Counties within this province haue humbly
suppycated his Lordpp: And the Two houses of this p^rsent
Generall Assembly ffor More And other Towns ports And
places for the Ease and benefitt of the Inhabitants aforesd: &

Lib. W. H. Conveniency of Trade: for satisfaction Thereffore of the Desires of the Good people of this province

Be it Enacted: by the Right Hon^{ble} the Lord Prop^{ty} by and with the Advice and Consent of the vpper & Lower houses of this p^rsent Generall Assembly and the Authority thereof That the Townes ports & places hereafter Mentioned be Added to the fformer Townes ports And places in the said Recited Act Named to bee ports And places Equally with the said other Towns ports And places in the said Act Mentioned where all Shippes And Vessells Trading into this province shall vnloade & put on shoare & sell barter & Traffique Away all Goods Wares and Commodities That shall be imported into this province.

And likewise where all Tobaccoes Goods Wares & Merchandizes of the Growth production and Manufacture of this province Intended to be sold here or Transported out of this province shall be for th^t end & intent brought to the said ports and places (That is to say) In the County of S^t Maries: Att Brittons neck between Britton bay and S^t Clements bay and at westwood on the land of M^r Thomas Gerard Att the head of wickacomaca River in S^t Maries County Afores^d And p. 261 in the County of Ann Arundle Att West River Vpon the land of John Hillen deaceased and the land Therevnto adjacent And in the County of Colvert att Colvert Towne in Batle Creeke And Att pigge Pointe vpon Mount Colverte mannor in Patuxent River And in Charles County Att the head of Portabacco Creeke neare the Church There And att the Mouth of Nanjemy Creek Att or neare Lewisses Neck. And in Baltemore County att Middle River on the land of Cornwallis or Leakins or both att the discretion of the Comissioners for the same County in the said Act named And in Summersett County att or neare Tipquin on the south side of Nanticoke River and at Sume Convenient place Between the Going into Selbyes bay & Cornelius Jones his land in Assateague bay on the Seabord side at the Discretion of the Comissioners for the said County in the said Act Named, And in Dorchester County Att Daniell Joansis plantation on the south side of Great Choptanke: And in Cæcill County Att the plantation Called John West in sassafriz River. And whereas the Towne Appointed by the said Act for the said County of Colvert to bee Att John Bowlings land in purtuxent River Aforesaid is Adjudged to be inconvenient for the Inhabitants there And that Coxes Creek in the s^d River of purtuxent is A better and more Commodious place for Trade And Shipping and nothing having hitherto been Acted or done pursuiant to the said Act Towards the laying out the said Towne att John Bowlings

land Appointed as Afores^d Bee it therefore Enacted by the Lib. W. H. Authority Aforesaid: That there bee A Towne Appointed Att the said Coxes Creeke or the land Adjacent in the stead and place of John Bowlings land and that the said John Bowlings land be discharged from being A Town port or place of Trade as Aforesaid Any thing in the said Act to the Contrary Notwithstanding: and whereas Alsoe A Mistake hath happened in the said Act in the Nomination of the place for the Towne And port in Wicocomaca River in Summersett County by putting in the word next laying next Aboue the land of the orphans of Charles Ballards Which hath Raised sume Disspute: Being thereby to streightly tyed to the place which is inconvenient for the Inhabitants soe that nothing As yett hath been Affected or Done Thereabouts for the Better explanation whereof and the True Assertaining the place of Trade for the said River of Wicocomoco: Bee it hereby declared And Enacted that the towne porte or place for the River afores^d be att or neare A parcell of land in the said River Called Lotts wife on the land w^{ch} was formerly William Wrights land Any thing in the said Act to the Contrary notwithstanding: And whereas it was in and by The said Act Mentioned And enacted That the Commissioners in the said Act Named for eatch Respective County within this province or the Major part of them who Are thereby Impowered sumetime before the five & Twentieth day of March Then Next ffollowing and now past to meet together vpon the Respective Lands And places in the Act before Mentioned or Att sume other Convenient place Neare Thereabout And should then And There Treat And Agree wth the Owners and all persons Interested in the said Land: And buy And purchase of the owners And persons Interested in the s^d lands, one hundred Acres of the s^d Lands in the Discretion of the s^d Commissioners Least pjudicial To the owners: And after purchase Thereof should Cause the same to be surveyed & after the survey soe made of the said one hundred Acres of land should cause the same to be Marked staked out and Devided into Convenient Streetes & lands in such Manner as in the said Act is More pticularly sett forth: And whereas severall Douts and dissputes haue been Arisen Touching the words (the said Comissio^{rs} or the Major part of th^m) whether A less number then Thirteen of the said Commissioners of eatch Respective County Aforesaid had power to Treat with the owners of the lands and to Alott Lay out and survey the one hundred Acres of land for the severall Townes ports And places afores^d Notwithstanding itt was in and by the said Act Intended th^t the s^d Commissioners in eatch Respective County wthin this province or Any five of them should Execute the

Lib. W. H. Authority in the s^d Act prescribed by pretext whereof & the Great difficulty of Getting so Great A number of the Comissioners together by Reason of their Remotenesse of habitation the shortness of time And want of survey^{rs} And other Impediments the execution of the s^d Act hath been Much Retarded Many of the s^d Towns ports & places: As yett not purchased layd out or surveyed: And very few or none layd out into Lotts And^r Staked out as by the s^d Act is Directed And the time for the doing thereof being now Elapsed soe Good and severall A Benefitt for the Advancement of the Trade of this province by the said Act intended is like to be wholly frustrated. For prevention Whereof and to the Intent the said Act may bee put into speedy execution The Deligates And Deputies of this p^rsent Generall Assembly Doe Humbly pray

p. 263 that it may bee Enacted And be it Enacted By the Right Hono^{ll} the Lord Prop^{ry} by and with the Advice & Consent And Authority aforesaid That forthwith after The end of this present sessions of Assembly the severall and Respectiue Sheriffes within this province shall Giue notice to the severall and Respectiue Comissioners of the severall & Respectiue Countyes in the said Act named That they and every of them doe Meet together at the severall and Respectiue County Courts within this province to bee held in the moneth of June next there to Agree And Consent what shall be most needfull to be done for the more effectuall prosecuting of the powers and Authorityties in and by the said Act Given them: And every Comissioner in the said Act named not Appearing att the day & place Aforesaid or not Makeing sufficient excuse by writing or otherwise to bee Approved of by the said Comissioners or the Major part of them thⁿ present ffor such absence shall be fined one thousand pounds of Tobacco: to be levyed of his or their Goods and Chattells And to be disposed of by the Comissioners Afores^d of the severall Counties Aforesaid for and Towards the payment of labourers that Carry the Chayne and Getting Stakes and Assisting in the Stakeing out the severall Lotts in the severall Townes places & ports Aforesaid or to such other vses & in such Manner & pportion Indifferently as to them shall seeme Meet Att which said Generall Meeting of the Comission^{rs} of the severall Countys afores^d shall be p^rsent the severall and Respectiue Sherriffe of the severall Counties Afores^d or their suffitient deputies; As Also the severall and Respectiue Deputy surveyours of the said severall Counties being therevnto by the Sheriffe alsoe sumoned as Aforesaid then And there to Receiue such further orders and Directions as by the s^d Comissioners then present shall bee ordayned; And In Case the s^d Sheriffe or their

Deputies as afores^d and deputy surveyours Aforesaid shall Lib. W. H.
neglect or Refuse then and there to Appeare accordingly:
Then they and every of them not Appearinge Or not having
other Lawfull excuse As Aforesaid shall be fined one thou-
sand pounds of tobacco to be levyed As Afores^d for the vses
Afores^d

And Bee it further Enacted by the Authoryty Aforesaid
That the said Com̄missioners of the severall Counties aforesaid
or soe many of them as shall be then and there p^rsent at the
said Generall Meeting hereinbefore Appointed shall and May
& are hereby Authorized to Make such Rules and orders for
the better performance of the Act Afores^d As to them shall
seem meet & to inforce obedience to such Rules and orders;
by such fines and punishments as to Them in their Discretion
shall seem Requisite: And to Remoue all obstructs which
otherwise may hinder soe Good And profitable A work They p. 264
the said Commissioners or soe Many of them as shall be
present at the said Generall Meeting shall and may and are
hereby authorized to put this p^rsent Act in execution Accord-
ing to their best Judgment and Directions & shall then if they
see Cause Subdivide and Distribute themselues and appoint
such and so many of the Com̄missioners in the said Act named
as they shall thinke fitt being Inhabitants next or nearest
adjoyning to Any the said Townes ports and places in the
said Recited Act and in this present Act Mentioned to Attend
the due execution of the said Act As May best Conduce to
the Carrying on the publique service of The Countrey hereby
Required And they or any fiew of them shall and may & are
hereby Authorized Appointed & enjoyned to Appoint such
certayn dayes and places at or neare the severall towns ports
and places in their severall & Respectiue divisions of the
Counties Aforesaid as they shall think fitt and to treat with
the owners of the s^d lands not yett Agreed for surveyed or
Layd out And to lay out one hundred Acres of land in the
severall Towns ports and places as well in the said Recited
Act as in this present Supplementary Act mentioned and to
Cause the same to be surveyed & layd out into Lotts: in such
manner & forme As by the said Recited Act is Directed and
they are also hereby Authorized to proceed Effectually as well
in the finishing & Compleating the purchase and survey &
laying into lotts as well all the severall townes ports & places
in the said Recited Act named (The Town Appointed by the
said Act att John Bowlings land at patuxent in Colvert
County Aforesaid onely excepted) as also the severall And
Respectiue Towns Ports & places within this Act perticularly
Mentioned persuing & following in all points and circum-

Lib. W. H. stances whatsoever (not otherwise provided Agnst in this Act) what by the said Recited Act is prescribed: And the takers vp of the Severall Lotts in the severall Towns in this Act Mentioned Complying with the Rules in the said Recited Act Mentioned are to hold and injoy Their said severall Lotts in such Manner And vnder such Rent As in the said Recited Act is set forth:

And be it further Enacted That if the said Com̄missioners by the Generall Meeting Afores^d appointed to Act in their severall Divisions Afores^d or Any of them shall neglect or Refuse to Appeare att the times and places to be Appointed in their severall Divisions Aforesaid soe As through the Default of them or Any of them the Matters hereby And by p. 265 the said Recited Act bee delayed or hindred such person for Refusing or neglecting to Appeare as Aforesd not having A Reasonable Excuse for his Absence to be Allowed by the Com̄missioners Afores^d or Any fwe of them shall for every such default be fined two hundred pounds of Tobacco to be leavyed of his or their Goods And Chattells to be dissposed of by the Aforesaid Com̄missioners or Any fwe of them for the vses Aforesaid And if the severall sheriffes or their Lawfull Deputies Aforesd or Any the deputy surveyo^{rs} Afores^d be found negligent in their Duty herein they shall be fined att the Discretion of the said Com̄missioners or Any fwe of them and the fines to be levyed and disposed of to the vses intents and purposes before in this present Act mentioned And be it further Enacted by the Authority Aforesaid that the severall sheriffes shall execute such warrants and Impannell such Jurys as shall by the Com̄missioners Aforesaid or Any fwe of them Ordered to Issue Ex officio without Any fee or Reward for the same And the Deputy Surveyours aforesaid are to lay out the said lands and lotts aforesaid and to make A True Draught of the Towns streets and lotts therin And diliver the same to the Com̄missioners to be Recorded for the fee of thirty pounds of tobacco p Lott As in the said Recited Act is Directed at their perrill And the said Com̄mission^{rs} or Any fwe of them Are heerby Impowered to Compell workmen Labourers And others to help to Carrey the Chayn to Cut stakes & Assist in the Measureing and staking out of the Ground of the said severall hundred Acres of Land att the towns ports And places in this and the said Recited Act Appointed And if such workmen Labourers or others Impressed or Com̄anded by the Com̄missioners Aforesaid shall Refuse to Assist in the Work Aforesaid hee or they soe Refusing shall be fined two hundred pounds of tobacco to be levyed on his Goods And Chattells for the vses Aforesaid And if Any person Returned

A Juror shall Att Any time heerafter Refuse or neglect to Lib. W. H.
Appeare before the said Comissioners att the dayes And places
afores^d to be Appointed or Appearing shall Refuse to serue
as A Jury man such person soe Refusing or Neglecting shall
be fined five hundred pounds of Tobacco To be leveyed as
Afores^d for the vse Aforesaid And the said Comissioners or
Any five of them according to their severall Divisions made
Amongst themselues as afores^d are to Appoint such and so
many persons in their severall Counties and Divisions Afores^d
As to them shall seem Meet to Keep the bookes of their
proceedings in the premises And in the execution of the said
Act And entring the Lotts as to them shall seem Meet And
Wheras severall debates & Differences haue and May heer-
after Arise wthin this province touching And Concerning the
Proceedings of the said Comissioners in the severall and p. 266
Respectiue Counties within this province: or touching and
Conserving their power and Authority in Agreeing Bargain-
ing purchasing surveying & laying out the severall hundred
Acres of land At the Towns ports and places in the said
Recited Act mentioned or About the words in the said Act
Recited (or the Major part of them:) by Reason the same was
Done by A lesser number then thirteen: Be it Enacted by the
power and Authority Aforesaid that what the said Comission^{rs}
of Any the severall and Respectiue Counties within this prov-
ince or Any five of them haue (in pursuance of the said
Recited Act) Done ordayned and Acted in the Execution of
the said Recited Act. The same is heerby Ratified & Con-
firmed as firme & valid in Law to All intents & purposes as if
the same had been done ordayned And Acted by thirteen or
A Greater Number Any thing in the said Recited Act to the
contrary notwithstanding. And be it Enacted by the Authority
Aforesaid That this and the said Recited Act shall in all things
be A Rule Guide And Directions for the Comissioners of the
severall Countyes Aforesaid or Any five of them or Any per-
sons interested or heerafter to be interested in Any the said
Lands and Lotts to proceed vpon in the purchasing laying
out Dividing and Graunting the one hundred Acres of land
beloing to Any the Townes ports & places in this Act perti-
cularly named and sett Down for Towns ports And places of
Trade As Afores^d And the psons taking vp lotts in the same:
To all intents & purposes According to the true intent and
Meaning of this And the said Recited Act, As if the same
Townes ports And places in this Act Mentioned had been
expressely named with the said other towns ports And places
in the said Recited Act perticularly sett Down And the said
Towns Ports and places herein before Mentioned are hereby

Lib. W. H. ordained to haue To haue the Like And Equall benefitt of the said Recited Act & every Article thereof as the said other Townes Ports & places in the said Recited Act Appointed Any Law Statute or vsage to the Contrary hereof in Any wise Notwithstanding:

p. 267 And Whereas his Lordshipp The Right Hon^{ble} the Lord proprietar^y And his father of Noble Memory haue been pleased to Incorporate the Inhabitants of the Citty of S^t Maries into A Comunity by the Name of A Mayor Recorder Aldermen and Comon Councell men and hath Graunted them severall privileges & imunities by severall Charters In Confidence whereof the said Citty hath been Long since Divided into Streets & lanes and severall the Inhabitants thereof Built vpon the same & had Graunts for land in the Citty Aforesaid But the said Recited Act having Appointed The said Citty of S^t Maries To be A Towne porte & place of Trade as Aforesaid And soe is become subject to severall the Rules and ordinances in the said Recited Act sett Downe & prescribed And in perticuler to haue one hundred Acres within the said Citty layd out for A Towne And port aforesaid and to bee Divided into one hundred severall Lotts as Aforesaid which if strickly pursued Will Quite Alter and Destroy the whole scituation of the said Citty as the Same hath beene layd out and Builded vpon Taken vp And pattented as Afores^d And will Tend to the very Great Damage of the severall Inhabitants thereof and bee the occation of severall Debates & Dissputes About the severall Interests of the Inhabitants & other p^{rs}ons Concerned Therein which will not bee Easily Reconciled And the said Mayor Recorder Aldermen & Comon Councellmen of the said Citty having humbly be sought his Lordshipp the Right Hon^{ble} the Lord Proprietar^y to take their Case & Condition into his Serious Consideration And to order such wayes And Meanes As May Tend to the preservation of the severall interests of the Inhabitants of the said Citty & Their Charter Aforesaid Wherevpon his Lorpp hath been Graciously pleased to Signifie his Good will And pleasure That his Lorpp is willing to haue each Mans property in the said Citty of S^t Maries (as now it stands & is pattented & Built vpon as Afores^d) to be preserved And to Graunt soe much Land Contiguous to the said Citty As will make vp one hundred Lotts without Altering the streets Dwelling houses Markett place And other Lotts formerly by the Cittizens Afores^d Taken vp: As Afores^d Bee it Therefore Enacted By and with the Advice & Consent Aforesaid That the said scituation of the said City of S^t Maries as it is now Inhabited Together with the said Land By his Lordshipp to be Added And Layd out for the Compleating the

said one hundred Lotts may bee the port Towne or place: of Lib. W. H.
Trade by the said Recited Act intended Att the Citty of S^t
Maries Notwithstanding the same Doe Comprehend More
then one hundred Acres Any Thing in the said Recited Act
to the Contrary Notwithstanding And whereas Also there Are
several paynes & penaltyes fines and forfeitures in the said
Recited Act Mentioned ffor severall offences Against the said
Act Committed which fines & forfeitures Are therby To be
paid one third part to the Lord Proprieta^{ry} one third part to
the Justices of each Respectiue County Court for the Time
being for the vse And Benifitt of the Towne Adjacent And in
the County where The said offence shall be Committed And p. 268.
one third part to the Informer or him or them that shall sue
for the same And noe provision made for the fines and forfeit-
ures due for Any offence Committed Against the said Recited
Act in the said Citty of S^t Maries and Towne there And the the
said inhabitants of the Citty Aforesd being A Corporation &
the only persons in Right Capable to Receiue the Third part
of the fines and forfeitures to become payable for Any offence
done wthin the Citty Town And port Aforesaid in breach of
the Act Afores^d Bee it Therefore Enacted That All fines paines
penalties and forfeitures for Any offence done or Comitted in
breach of the said Recited Act or Any part therof within the
Citty Town and port of S^t Maries afores^d be one third part to
the Lord Proprieta^{ry} one third part to the Mayor Recorder
Aldermen and Comon Councill men of the said Citty Town &
port of S^t Maries The other third part to the Informer or him
or them that shall sue for the same as in & by the said
Recited Act is ordained to the Lord Proprieta^{ry} the Justices of
the County Court And the Informer Any thing in the said
Act to the Contrary Notwithstanding And be it Enacted by
the Authority Aforesaid that the surveyour Generall of this
province doe forthwth provide & put in And Appoint in the
severall Counties within this province honest & scilfull Artists
and deputy surveyours to lay out and survey The severall
Towns ports And places Appointed by this And the said
Recited Act and the severall streets and Lotts Aforesaid and
duely to plott the same soe As for the want of such Artists
And Deputies as Aforesaid The said Towns ports And places
be not left vnsurveyed and layd out And in Default of such
nomination and Appointment of such Artists and deputies
Aforesaid the said Surveyor Generall shall be fined for every
County soe vnsupplied of such Deputy and for every Town
there by that means not Layd out surveyed & layd out into
Lotts and plotted as Afores^d Fiue Thousand pounds of
Tobacco one halfe to the Lord Proprietary And the other halfe

Lib. W. H. to the Justices of the Respective County Courts for the vse of the Towne or Port by th^t occasion not duely surveyed and layd out & plotted as Aforesaid And if the said Towne or port of the Citty of St Maries shall by the like occasion or Meanes Happen to be neglected to be laid out & surveyed Divided & plotted as Aforesaid Then the Moytie of the said fine to be to the said Mayor Recorder Aldermen and Comon
 p. 269 Councill men of the Citty of St Maries for the time being for the vse of The said Citty Towne and port Aforesaid: And bee it further Enacted That the said severall Towns ports & places in the said Recited Act and in this present Act Mentioned be purchased & Surveyed & Laid out in lotts Marked and Staked out plotted & entred in the severall books to be kept Touching the Same as by the said Recited Act is Directed appointed at or before the Twenty ninth Day of September next Coming

An Act Against Excessive Vsury

Bee it Enacted by the Right Hono^{ble} the Lord Proprieta^{ry} off this p^rvince by and with the Advice and Consent of the vpper & Lower Houses of this p^rsent Generall Assembly & the Authority of the same That noe p^rson nor p^rsons w^hsoever within This p^rvince whether Inhabitant or forreigner vppon Any Contract shall ffrom & After The end of this p^rsent sessions of Assembly take Directly or indirectly for Loane of Any Moneys wares Merchandizes or other Comodities whatsoever to bee paid in money aboue The value of six pounds for the forbearance of one Hundred pounds for one yeare And soe After that Rate for A Greater or lesser sume or ffor A longer or shorter time: nor shall Any person or persons whatsoever within this province as Afores^d ffrom & After the time Afores^d Take Directly or indirectly ffor Loane of Any Tobaccoes Wares Merchandizes or other Comodities to bee paid in Tobaccoe or other Comodities of this province Aboue the value of eight pounds of Tobaccoe ffor the forbearance of one hundred pounds of Tobaccoe: And After that Rate in Any other Goods & Comodities: for one yeare & soe After th^t Rate ffor A Greater or Lesser sume or for A Longer or Shorter time: And that all Bonds Contracts & Assurances whatsoever Made after The time Afores^d for payment of Any principall Money: or Tobacco Goods or Comodities Aforesaid: To bee Lent or Covenanted to be performed vpon or for Any vsury Wherevpon or whereby There shall bee Reserved or Taken Aboue the Rate of six pounds in the hundred in Money As Aforesaid And Aboue eight pounds in the hundred in Tobacco

or other Goods or Commodities as Afores^d shall bee vtterly Lib. W. H.
voyd: And that all & every person & persons whatsoever
which shall After the time Aforesaid vpon Any Contract to
bee Made Take Accept or Receaue by way or Meanes of any
Corrupt Bargaine Loan Exchange Chevizance Shift or interest
of any wares Merchandize or other thinge or things what-
soever or by Any deceitfull way or Meanes or by any Covin
Engine or deceitfull Conveyance: for the forbearance or
Givinge day of payment for one whole yeare of & for their
money Tobacco or Goods or Commodities Aforesaid Aboue the
sume of money or quantyty of Tobacco Aforesaid for the for-
bearance Aforesaid: shall forfeit & loose for every such offence
the Treble value of the Money Tobacco Goods Wares Mer-
chandizes and other things soe lent Bargained sold exchanged
and shifted as Aforesd The one half of the said ffine and for- p. 270
feiture To bee to the Right Hono^{ble} the Lord Prop^{ry} and the
other half To him or them that shall sue for the same in Any
Court of Record within This province by Accōn of Debt bill
plaint or information in which no essoyne protection or wager
of Law to bee Allowed This Act to Endure for three yeares
or to the end of the next Generall Assembly which shall first
Happen.

An Act for the Recording the Journall of the
Lower House

Whereas it is Thought Good for the Benefitt & Inlightning
of future Assemblies: That a Record bee kept of all proceed-
ings th^t shall pass in the Lower house of Assembly of this
province Bee it Therefore Enacted by The Right Hono^{ble} the
Lord prop^{ry} of this province by and with the advice and Con-
sent of the vpper and Lower houses of this p^rsent Generall
Assembly: That the Clarke of the Lower house of Assembly
for the time being Transcribe the said Journall within two
months after the Dissolution or prorogation of the said
Assembly: and deliver the same Into the Secretaries office:
vpon the penalty of fiue hundred pounds of Tobacco to the
Lord Prop^{ry}: And the Loss of his sallerry for his service in in
the Assembly: The said fine And fforfeiture to bee Levied
vpon the said Clerke by the Appointment of the Leiv^t Gen-
erall or Governour of this province for the time being: That
the said Journall as Aforesaid is not by the s^d Clerk of the
lower house delivered into the Secretaries office As Aforesaid
And it is hereby further enacted by the Authority aforesd
That the secretary of this province for the time being shall
bee Enjoyned To examine the secretaries office Touching the

Lib. W. H. purport of this Act & make Sertificate to the Governour or Leivtenant Generall for the time being: That thereby the fine & fforfeiture afores^d may the more duely be Levyed

An Act For Appointing Court Dayes in Each
Respectiue County within This province

p. 271 To the Intent Court Dayes may bee Assertayned And that the Comissioners within theire Respectiue Counties may Know Justly when to attend: Bee it Enacted by the Right Hon. the Lord prop^{ty} by & with the Advice and Consent of the vpper & lower houses of this present Generall Assembly That For the future S^t Maries: Baltemore: & Dorchester County Courts shall bee held the ffirst Tuesday in September, November: January: March: June for the orphants and the ffirst Tuesday in August for Ann Arundell: Charles: Sumersett & Cæcill Countyes The second Tuesday in September: November January: March: June: for the orphants: And the second Tuesday in August: ffor Talbott & Calvert Counties the Third Tuesday in September November January March June for the orphants. And the third Tuesday in August: ffor Kent County the fourth Tuesday in September November January March June for the orphants: & the fourth Tuesday in August: And bee it further Enacted by the Authority Aforesaid that every Comissioner that shall not Appeare And attend att such place Appointed for the Court To bee held att in his Respectiue County: Att the time Limited And Appointed by the law shall bee fined Two Hundred pounds of Tobacco: for and Towards the Building of Pillory Stocks and Whiping post for the execution of Justice: or to bee dissposed off As the Court then sitting shall think ffitt vnless such Comissioner or Comissioners shall Make Lawfull Excuse to bee Allowed of by the Court: And for as much as it many times happens especially in the winter season That but Two or Three of the Comissioners doe Meet and Attend vpon the dayes sett & Appointed as Aforesd: Whereby all processe Made Returnable to that Court doe fall and Abate And the severall plain-tiffs Are forced to sue out new writts: to the Great Charge And Delay of suitors Bee it Therefore Enacted by the Authority Afores^d That Any Two or Three of the Comissioners: whereof one to bee of the Quorum meeting as Aforesaid bee hereby ffully Authorized & Impowered to Adjourn the Court To some short tim after as shall seem to them Meete: And that no suit shall for want of A full Court fall or Abate but the same shall be continued vntill the next Court to bee held according to such Adjournment as afores^d And that

If the first day Appointed by this Act for the holding of the Lib. W. H. severall and Respectue Courts: bee not time enough to doe the business in th^t Court Depending: Then the Justices of such Court are hereby Impowered to Adjourne from day to day vntill such time as the Business Returnable Thatt Court shall bee finished And whereas there hath been sume scruples Arrisen by the Comissioners of the Respectue County Courts whether they shall doe Any other business in every June Court in every Respectue yeare then what was Conserving orphants: The True Intent & meaninge of this Act is: That the Comissioners of every Respectue County Court May And ought to doe heare Judge & Determine Any Business Depending in the said Court at the same June Court Between Any persons w^tsoever As well as Relating to Any orphants Business

An Act for Reviving the Tempory Laws of this Province.

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Bee it Enacted by the Right Hon^{ble} the Lord prop^y By & with the Advice & Consent of the vpper & lower houses of this p^rsent Generall Assembly and the Authority of the same That one Act made att A Generall Assembly held att S^t Johns the seventeenth day of Aprill one thousand six hundred sixty & one Intituled An Act for Appointment of Certayne officers Excepting the Latter Clause thereof Relating to the Sheriffs which is not Revived one other Act Made the same Assembly Entituled An Act Conserving the heigth of ffences: one other Act made the same Assembly Entituled An Act for Conveyance of all Letters Concerning the State & publique Affaires: An other Act made att a Generall Assembly held Att S^t Maries the ffifteenth day of September one Thousand six hundred sixty & Three: And There Continued vntill the Third day of october ffollowing And ffrom Thence Adjourned vntill the second Tuesday in September one Thousand six hundred sixty & ffoure Entituled An Act prohibiting Arrests vpon sabboth dayes and dayes of Generall Muster & Traineing One other Act made the same Assembly Entituled An Act for Amertments in the provinciall And County Courts: One other Act made the same Assembly Entituled An Act Against the Exportation of Wool & old Iron one other Act Made att A Generall Assembly held Att S^t Maries the tenth day of Aprill one Thousand six hundred sixty six Entituled An Act prohibiting Trade with the Indians ffor Any flesh Dead or Aliue Except Deer & wild ffowle One other Act Made the same Assembly Entituled An Act prohibiting fforreinge

Lib. W. H. Ingrossers one other Act Made Att An Assembly begunn and held Att the Citty of S^t Maries the Thirteenth day of Aprill one thousand six hundred sixty & nine Entituled An Act ffor Limitation of Certayn Accōns ffor Avoyding suits Att Law One other Act made the same Assembly Entituled An Act for providing sufficient ffreight & Carriage ffor the proper Goods & Comodities of his Lorpp: the Lord prop^y of this province And The Governour off this province ffor the time being One other Act made The same Assembly Entituled An Act what shall bee Good Evidence to proue fforreigne Debts: Another Act Made att A Generall Assembly held att S^t Maries the seven & Twentieth day of March one thousand six hundred seventy & one Entituled An Act Against Devulgers of false newes: one othere Act Made the same Assembly Entituled An Act Against hogg stealers one othere Act made the same Assembly Entituled An Act for providing A stand-ard with English weights & Measures in the severall & Respectiue Counties within this Province One other Act Made the same Assembly Entituled An Act prohibiting the Importation of all horses Mares Geldings: or Colts into this province one other Act Made Att A Generall Assembly held Att S^t Maries the Tenth day of october one Thousand six hundred Seventy & one Entituled An Act for the Explanation of one Clause in An Act Entituled An Act prohibiting the Importation of all horses Mares Geldings or Colts Into this province with An Addicōn And Amendment therin one other Act Made the Same Assembly Entituled An Act for Marking high wayes & making the heads of Rivers Creeks Branches & Swamps passable for horse And foote: one othere Act Made the same Assembly Entituled An Act for stey of Execucōns After Aprill Court One Act Made Att A Generall Assembly held att S^t Maryes the Thirteenth day of Aprill 1674 Entituled An Act Concerning the Impannelling the Grand Inquest in the severall Counties within this province one other Act Made the same Assembly Entituled An Act ffor the Surveyor Generalls ffees with Addicōn of ffees vpon Resurveyes & for Leveying The same one other Act Made the same Assembly Entituled An Act Concerning those Servants that have Bastards One other Act Made the same Assembly Entituled An Act Against Burners of fences One other Act Made the same Assembly Entituled An Act prohibiting All Masters of Shippes or vessells or Any other persons from Transporting or Conveying Away Any person or persons out of this province without passes: One other Act Made Att A Generall Assembly held Att S^t Maries the Twelfth day of february 1674: entituled An Act Touching what shall bee Allowed to Grand

Jurys That Are sumoned Twice A yeare out of the Body of the p^rvince to Attend provinciall Courts: One other Act Made att A Generall Assembly held Att the Citty of S^t Maries the fifteenth day of May: 1676: Entituled An Act for secureing Merchants and others Tobacco After they haue Received it: one other Act Made the same Assembly: Entituled An Act for the seizure of Tobacco by the Sheriffes: one other Act Made the same Assembly Entituled An Act for the publication of Marriages: one other Act Made the same Assembly Entituled An Act Relating To servants & slaues: one other Act Made the same Assembly Entituled An Act Touching Coopers & gage of Tobacco hogsheads one other Act Made the same Assembly: Entituled An Act for the Easment of the Inhabitants of this p^rvince in suits att Law for small Debts: one other Act Made the same Assembly Entituled An Act for the Cunstables Taking the List of Taxables one other Act Made the same Assembly Entituled An Act Against the Importation of Convicted persons into this province: one other Act made the same Assembly Entituled An Act for secureing Creditors: one other Act Made Att A Generall Assembly held Att S^t Maries The Twentieth day of october one Thousand six hundred seventy & Eight Entituled An Act for Regulating Ordinaries & limitting the Number of them within this province: One other Act Made the same Assembly Entituled An Act for Election of Sheriffs: one other Act made the same Assembly Entituled An Act for the better Administration of Justice in the County Courts of this province: one other Act Made The same Assembly Entituled An Act for Appeale And Regulating Writts of error: one other Act made the same Assembly entituled An Act for Keeping A Register of Births marriages And Burialls in each Respectiue County within this province: one other Act made the same Assembly Entituled An Act Imposing penalty on all such who shall Disspose Tobacco seized or Receaved by the Sheriffe & others: one other Act Made att An Assembly Begunn and held the sixteenth day of August one thousand six hundred eighty one Entituled An Act for & Regulating the Malitia of this p^rvince for the better security and defence Thereof One other Act made the same Assembly Entituled An Act for the better Aministr^m of Justice in probate of wills Granting Administrations Recovery of Legacies and securing filiall portions: one other Act made the same Assembly entituled An Act for the more speedy Bringing to Tryall & suppressing Criminalls and Limitting theire Punishment for Certaine offences when prosecuted in the County Courts: one other Act made the same Assembly Entituled An Act for preventing vexatious and

Lib. W. H. vnnessesary suits att Law One other Act made the same Assembly Entituled An Act Restraining The Exportation of Leather and Raw Hides Deer & elk skins out of this province for the Encouragement of Tanners & shoemakers one other Act made Att A Generall Assembly held att the Citty of S^t Maries The Twelfth day of november 1681 Entituled An Act Against Ingrossers and Reqraters: one other Act made att A Generall Assembly begunn & held Att the Citty of S^t Maries the five and Twentieth day of Aprill: 1682 Entituled An Act for Encouragement of Tillage and Raising provisions ffor Advancement of Trade within this province one other Act made the same Assembly Entituled An Act Limitting The expences of the Comissioners of the County Courts of this province one other Act Made the same Assembly Entituled An Act for Ascertainig what Damages shall bee Allowed vpon protested Bills of Exchange one other Act Made this present sessions of Assembly begunn and held Att the Ridge in Ann Arundle County the second day of october In the yeare of o^r Lord 1683 Entituled An Act ffor Regulating the Tares & Abuses in Tobacco hoggsheads one other Act made at the same time Entituled An Act Limitting The Extent of

p. 275 Attachments And provided what shall bee levyed on Attachments and execucōns: The same And every of them Bee and are hereby Revived and Continued to stand in ffull fforce And vertue for and During the Terme of Three yeares or to the end of the next sessions of Generall Assembly which shall first Happen

Private Acts Made This Assembly

An Act for the naturalizacōn of Nicholas Verbrack
 An Act for Naturalizacōn of Peter Bayard Arnoldas De-La-Grange Peter Sleyter & Jasper Dauncres
 An Act for the Naturalizacōn of Jacob Seth

And Therefore Wee Command you that all these Lawes and Every perticuler thinge Therein Conteyned att yo^r next County Court or Any other Convenient place within yo^r County you Cause to bee Proclaimed And firmly kept Wittnes our Selfe Att our Said Citty of S^t Maries The 26 day of Aprill 1684

ACTS

PASSED AT A SESSION OF THE

GENERAL ASSEMBLY
OF MARYLAND,

October 26, 1686.

CHARLES, LORD BALTIMORE,
Proprietary.

HENRY DARNALL,
Keeper of the Great Seal.

Charles Absolute Lord & prop^{ry} of the Province of Mary-
land & Avalon Lord Baron of Baltemore &c. To the Sheriffe
of Ann Arrundell County Greeting Whereas by Advice &
consent of the ffree men of o^r said province of Maryland & of
their deputies & delagates in a Certaine Assembly held att o^r
Citty of St Maries the 26th day of October in the Eleauenth
Yeare of o^r dominion of the said Lord Baltemore &c Annoq
domini 1686 We haue made Enacted ordeyned seuerall Acts
& Lawes following Viz^t

Lib. W. H.
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An Act for the Payment and Assessm^t of the
publique Charge of this Prouince

Whereas there hath been four hundred & forty six Thou-
sand two Hundred forty Eight pounds of Tobaccoe laid out
and disbursed by the Vpper & Lower Houses of this p^rsent
Generall Assembly & by seuerall other the good people of
this province for the publique good of the same & to the
intent the same may be sattisfied and paid to those persons to
whome the same is due Be it therefore Enacted by the Right
Hono^{ble} the Lord Prop^{ry} by & with the Advice & consent of
the Vpper & Lower Houses of this p^rsent Gen^{ll} Assembly
And the Authority of the same th^t the said sume of four Hun-
dred & forty six Thousand two Hundred forty Eight pounds
of Tobaccoe to be paid in manner & forme as is hereafter
Expressed (That is to say) To Cornelius Murline of Talbott
County One Hundred & fifty pounds of Tobaccoe To John
Edmondson seaven Hundred & fifty pounds of Tobaccoe To
Major Peter Sayer Seaven Hundred pounds of Tobaccoe To
Co^{ll} W^m Colebourne of Somerset County Thirteen Hundred
& thirty pounds of Tobaccoe. To John Tounsens one Thou-
sand pounds of Tobaccoe. To John Cellam fue Hundred
pounds of Tobacco To James Round ffour Hundred pounds
of Tobaccoe. To John Tailour Robert Smith Teage Quilline &
James Tousend each pson ninety pounds of Tobaccoe To the
said John Tailour more one Hundred pounds of Tobaccoe.
To Thomas Lytfoott ffour hundred pounds of Tobaccoe. To
Maj^r Nicholas Gassaway Three Hundred Eighty four pounds
of Tobaccoe. To W^m Rosewell Two Thousand Two Hundred
seauenty eight pounds of Tobaccoe. To Cap^t William Peirce
of Cæcill County one Thousand & twenty pounds of Tobaccoe

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Lib. W. H. To W^m Nowell two hundred pounds of Tobaccoe. To Michael Tawney six Thousand six hundred & ninety pounds of Tobaccoe. To Joshua doyne six Thousand four hundred seauenty one pounds of Tobaccoe. To Thomas Pue the Post Twelue Thousand pounds of Tobaccoe. To Thomas ffoster of S^t Maries County sixteen Hundred pounds of Tobaccoe. To Samuell of Sumersett County fve Thousand Two Hundred & twenty pounds of Tobaccoe. To M^r Thomas Burford Attorney Gen^{ll} one Thousand pounds of Tobaccoe. To Thomas Casey sixteen Hundred pounds of Tobaccoe. To W^m Tailor a Lame pson sixteen Hundred pounds of Tobaccoe.

p. 277 To Co^{ll} W^m Burges fifteen Hundred pounds of Tobaccoe To Co^{ll} Tho: Tailor fourteen hundred thirty fve pounds of Tobaccoe To Robert Procter Thirteen Hundred Thirty pounds of Tobaccoe. To Co^{ll} W^m Stevens fve Thousand Two Hundred pounds of Tobaccoe. To Co^{ll} W^m Colebourne more fiteene hundred pounds of Tobaccoe. To Edmund Purder Nineteene Hundred & forty pounds of Tobaccoe To Thomas Burford of Ann-Arrundell County Two Hundred & Tenn pounds of Tobaccoe. To James Phillips of Baltemore County fve Hundred sixty Eight pounds of Tobaccoe. To Stephen ffrancis fve Hundred & fifty pounds of Tobaccoe. To Robert doyne six Thousand Eight Hundred & Eighty pounds of Tobaccoe. To Co^{ll} George Wells Three Thousand ffour Hundred & seauenty pounds of Tobaccoe. To John Walstone of Baltemore County One Hundred & Eight pounds of Tobaccoe. To James Banister To Thomas Card To James Cassews Nathaniell Andrews all of Baltemore County To each of them ninety pounds of Tobaccoe. To Joseph Sanders ninety pounds of Tobaccoe. To Johanna Goldsmith ffour Hundred Pounds of Tobaccoe. To Samvell Brandt sixty pounds of Tobaccoe. To W^m Osborne Two Hundred & forty pounds of Tobaccoe. To Andrew Hopkins Two Hundred & Eighty pounds of Tobaccoe. To John Corington ffour hundred pounds of Tobaccoe. To John Tailour of Dorchester County Gent. Two Thousand four Hundred thirty fve pounds of Tobaccoe. To John Parsons drummer six Thousand pounds of Tobaccoe. To Edward Stephens of dorchester County one hundred & Eighty pounds of Tobaccoe. To Co^{ll} Henry Darnell Thirteen Hundred & fifty pounds of Tobaccoe. To Major Peter Soyer more Three Hundred & tenn pounds of Tobaccoe. To Clement Hill Esq^r Two Thousand fve Hundred pounds of Tobaccoe To M^r Richard Gardner Two Thousand fve Hundred pounds of Tobaccoe To M^r Anthony Vnderwood seaven Thousand fve Hundred pounds of Tobaccoe To W^m Dent six Thousand pounds of Tobaccoe.

To Tho: Grunwine Three Thousand five Hundred pounds of Lib. W. H.
Tobaccoe. To W^m Taylour Three Thousand five Hundred
pounds of Tobaccoe. To Anthony Evans sixteen Hundred
pounds of Tobaccoe. To James Ricketts Eight Hundred
pounds of Tobaccoe. To James Cullen four Thousand five p. 278
Hundred pounds of Tobaccoe. To James Cullen for the
Estate of Mark Cordia six Hundred & forty pounds of
Tobaccoe. To Co^{ll} Henry Darnall more Nine Thousand Two
Hundred thirty pounds of Tobaccoe. To John Anderson four
Thousand pounds of Tobaccoe. To M^r Daniell Clark fifteen
Hundred pounds of Tobaccoe. To Symon Perch of S^t Maries
County sixteen Hundred Pounds of Tobaccoe. To Gilbert
Clarke five Thousand four Hundred pounds of Tobaccoe. To
W^m Nutthead Printer five Thousand five Hundred & fifty
pounds of Tobaccoe. To John Evans the Cryer Two Thou-
sand one Hundred twenty two pounds of Tobaccoe. To
Richard Benton one Hundred pounds of Tobaccoe. To
Edward Boothby Three Thousand pounds of Tobaccoe. To
Thomas Grunwine more five Hundred pounds of Tobaccoe.
To Nicholas Hackett one Thousand pounds of Tobaccoe. To
James Yore five Hundred & fifty pounds of Tobaccoe. To
Hugh Hopewell Senj^r Three Thousand seauen Hundred
ninety one pounds of Tobaccoe. To Joseph Edloe of Petuxent
five Thousand six Hundred & thirteene pounds of Tobaccoe.
To Nicholas Hackett first allowance Three Thousand five
Hundred pounds of Tobaccoe. To George Ligan Two
Hundred & Eighty pounds of Tobaccoe. To the Sheriffe of
Ann Arrundell County seauen Hundred & twenty pounds of
Tobaccoe. To the sheriffe of Baltemore County seaven Hun-
dred & twenty pounds of Tobaccoe. To the Sheriffe of Cæcill
County seaven Hundred & twenty pounds of Tobaccoe. To
the Sheriffe of Kent County seauen Hundred & twenty
pounds of Tobaccoe. To the Sheriffe of Dorchester County
Seaven Hundred & twenty pounds of Tobaccoe. To the
Sheriffe of Talbott County seaven Hundred & twenty pounds
of Tobaccoe. To the sheriffe of Sumersett County seauen
Hundred & twenty pounds of Tobaccoe. To John LLewellin
Twelue Thousand pounds of Tobaccoe. To John Baker
Ninety six Thousand four Hundred forty two pounds of
Tobaccoe. To Robert Gelly Twenty Thousand five Hundred p. 279
& seaven pounds of Tobaccoe. To Co^{ll} W^m Colebourne for
Indian Expences at Tho: Beales house, two Hundred pounds
of Tobaccoe. To Garrett Vansweringen forty six Thousand
seven Hundred twenty seuen pounds of Tobaccoe. To Phillip
Lynes forty two Thousand Eight Hundred & six pounds of
Tobaccoe. To Christopher Nutter Two Thousand pounds of

Lib. W. H. Tobaccoe To Edmund Dennis ffour Hundred sixty Eight pounds of Tobaccoe To Phillip Lynes more ffour Thousand Eight Hundred seventy two pounds of Tobaccoe. To Maj^r Thomas Taylour Thirteen Hundred & fiftene pounds of Tobaccoe. And whereas there is before in this Act mencōned seven Hundred & twenty pounds of Tobaccoe to be paid to each of the severall Sheriffs of Ann Arrundell Baltemore Kent Cæcill Talbott Dorchester & Somerset Counties—It is the true intent & meaning of this Act th^t the same is intended towards payment of a Boate & one hand of each County that Attended vpon the delegates & representatiues of the said Countyes To this p^rsent Generall Assembly & further that there be paid & satisfied to the severall Sheriffs in this province for their Sallery for Colecting the su^me of four Hundred & fve Thousand six Hundred & Eighty pounds of Tobaccoe. The su^me of fforty Thousand fve Hundred sixty Eight pounds of Tobaccoe. And be it further Enacted by the Advice consent & Authority aforesaid that the aforesaid su^me of Tobaccoe Amounting in the whole to the su^me of ffour Hundred fforty six Thousand Two Hundred forty Eight pounds of Tobaccoe. to be leavyed & Assessed by an Equall assessment vpon the p^rsons & Estates of the Inhabitants of this Province & be paid to the severall persons to whome the same is due according to the Accompts disbursem^{ts} & necessary charges of this Province w^{ch} haue been Examined stated & allowed by the vpper & Lower Houses of this p^rsent Gen^rall Assembly any Law Custome or statute to the contrary in any wise Notwithstanding

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A Further Additionall Act to the act for
Aduancement of Trade and to the
Supplementary Act to the same

Whereas by an Act Lately made at a Gen^rall Assembly begune & held att the Ridge in Ann Arrundell County the second day of October in the yeare of o^r Lord God One Thousand six Hundred Eighty & three Entituled An Act for Advancem^t of Trade and by one other Act made the same assembly held at the Citty of S^t Maries the four & twentieth day of Aprill in the yeare of o^r Lord one thousand six Hundred Eighty & four Entituled an Additionall & supplementary Act to the Act for advancem^t of Trade It was Enacted that the severall respectiue Townes Ports & places in the said Acts mencōned should be ports & places where all Shipps & Vessells tradeing into this Province should vnlade & put on shore and sell barter & trafique all goods wares & comodities that

should be imported into this province & likewise That all Lib. W. H.
Tobaccoes wares & Marchantdizes of the growth producon
& manufacture of this Province intended to be sold here or
transported out of this Province should for that end and
intent be brought to the said ports & places as by the said
Acts relacon respectiuey being therevnto had & made more
fully and at Large it doth & may appear and whereas seuerall
of those Townes ports or places in the said two seuerall Acts
menconed haue been by experience found to be very ill scitu-
ated haueing noe convenient landings or passable wayes in
the winter season for the bringing Tobaccoes & other wares
& m^rchantdizes to the same whereby many psons otherwise
very desireous to build haue been much discouraged to seate
themselves in suuch Townes & ports & seuerall other places p. 281
in many Counties haue by the Inhabitants thereof been much
pitched vpon for more comodious places and more conveni-
ently furnished with all requisites fitt for Townes of Trade &
comerce w^{ch} were they Erected into Townes & ports would
highly conduce to the carrying & bringing euen to perfecon
soe great & good a worke as by the Act before recited was
intended to the end therefore th^t all possible Encouragem^t
may be giuen to a vigerous prosecucon of an affaire soe
highly importing the Hono^r & Wellfaire of this province the
deligates of this Gen^rall Assembly doe pray that it may be
Enacted. And be it Enacted by the Right hono^r^{ble} the Lord
Prop^{ry} by & with the advice & consent of the vpper & lower
houses of this p^rsent Gen^rall Assembly and the Authority of
the same that the Townes ports & p^races herein after perticu-
larly menconed be & are hereby aded & made ports & places
equall with the other Townes formerly by the acts aforesaid
or either of them made & appointed where all shipps & Ves-
sells tradeing into this Province shall vnlade & put on shore
& sell barter & trafique away where all tobaccoe good wares
& Marchantdizes th^t shall be imported into this Province &
likewise of the growth producon & manufacture of this Prov-
ince intended to be sold here or transported out of this prov-
ince shall be for that End & intent brought to the said port &
places (That is to say) in the County of S^t Maries at piles
fresh on both sides of the said fresh on the Land of M^r Joseph
Pile and Thomas Sympson in Kent County a Towne port or
place at Swan Creeke on the plantacon & land of W^m Stanly
To be called Millford Towne in Calvert County one other
Towne port or place att Harvey Towne and the land adjacent
there in Charles County one Towne port or place at lower
Cedar poynt in Pukewaxen hundred on or neere the land late
of M^r James Tire deceased and one other at dangyes point in

Lib. W. H. Mattawomen or St Thomas Creeke in Baltemore County at Towne port or place in Sposuty Creek on the land formerly
 p. 282 Mr John Colletts now in possession of John Mould and the Land adjacent and one other in Gunpowder Riuer vpon the point comonly called Westburies Point. In Tabott County a port Towne or place at or neer the Co^rt House vpon the land of James downes & the land adjacent to be called Yorke. In the County of Somersett a Towne or port att Snow hill on the land formerly belonging to Henry Bishop and last to Ann Bishop his Widdow and one other in Arnold Erzyes land & the land adjacent att Oyster Neck att the mouth of Monokin, and th^t all persons that haue already built vpon the said land called Snow Hill shall Enjoy their lotts as fully firmly & effectually as any other builders vpon Lotts in any other Townes paying for the same as others doe. In dorchester County one in little Choptanck Riuer att Nicholas Maryes poynt, to be called Islington and one other in Hunger Riuer on the East side of the said Riuer on Andrew Fusleyes Neck to be called Bristoll and in the County of Cæcill one Towne port or place in Elk Riuer att a place called Cæcill Towne at the mouth of Bohemia River and that the Comission^{rs} in the said Act for Advancem^t of Trade Nominated or any fiew of them shall & are hereby impowered to haue As full & ample Authority not onely as to the purchaseing & surveying laying & stakeing out Lotts but as to the doeing & performeing of all and euey other thing & things whatsoever relateing to the new Townes herein mencōned as they had haue or were intended to haue had by the aforesaid two seuerall Acts or either of them in relacon To those Townes in the said former Acts menconed. To all Intents & purposes whatsoever and th^t the s^d Comission^{rs} in the said Act for Advancem^t of trade for each respectiue County nominated or any fiew of them are hereby Impowred & Enjoyned some time before the twenty fifth day of March now next Ensueing to meete togeather Vpon the respectiue lands & places before in this Act before mencōned to be new added Townes or at some other place neere the same & to lay out 100 A: of land in the severall places respectiue for Townes in this p^rsent mencōned Act & to cause the same to be laid out into lotts in such manner & forme as by the said first recited Act is directed persueing & following in all points
 p. 283 and Circumstances the rules & orders in the said two recited Acts præscribed (vnless otherwise provided ag^t in this p^rsent Act. And be it further Enacted by the Authority aforesaid that the takeing vp of the severall Lotts in each respectiue Towne in this p^rsent act mencōned complying with the gen^rall rules p^rscribed in the aforesaid Acts & building vpon such

Lotts according to the direcōns of the former recited Acts Lib. W. H.
before the last day of August w^{ch} shall be in the yeare one
thousand six hundred Eighty & Eight are hereby invested wth
a like Estate in their severall respectue Lotts & shall hold &
enjoy the same to them & their heires in such manner &
vnder the like rents as the other Lotts in those ports &
Townes in the former Acts are held or menconed to be held
& Enjoyed and now in tender consideracon of the p^rmisses
haueing Especiall regard to the p^rsent in Capassity of many
the Inhabitants of this Province as to a plenary compliance
wth all particulars required by the former Acts.

Be it therefore further Enacted by the Right Hono^r^{ble} the
Lord Prop^{ry} by & with the advice & consent of the vpper &
lower houses of this p^rsent Gen^{rall} Assembly and the Authority
of the same that from & after the publicacon of this p^rsent Act
of Assembly vntill the last day of August in the yeare of o^r
Lord one thousand six hundred Eighty & Eight & no longer
it shall & may be lawfull for any pson or psons whatsoever
Inhabitants or others liveing or resideing in this province by
any meanes or wayes whatsoever to carry or transport their
Tobaccoe or other goods of the growth of this Province to
any port or place allowed by this & the aforesaid Acts as
Townes & other places of trade and there onely enter with
the Officer of such Towne for that purpose by his Lord^{pps} or
deputie Leivten^{ts} appointed or to be appointed & a particular
acco^{ts} from him to take w^{ch} said Officer is hereby enjoyned
by himselfe or some suffitient Deputie to giue his due attend-
ance at Request to giue to such pson soe bringing the same a
Certificate vnder his hand th^t such Tobaccoes goods and Mar-
chantdizes either in hh^{ds} or bulke were brought & entered to
and att such Towne or port & in default of such respectue
Officer not giueing his due attendance & not complying wth
his dutie according to the tenno^r of this Act that every such
Officer shall pay & forfeite to the party greiued the sūme of
one Thousand pounds of Tobaccoe for every such default to p. 284
be recovered in any of his Lōpps Co^{rt} of Record in this Prov-
ince and that pson or psons shipping of or Exporting or
coveying by sloop or Cart or rolling any tobaccoes or other
comodities of the growth producon or manufacture of this
province out of the same province without haueing first
brought & entered the same to & att some Towne or port &
obteyned Cirtificate of the officer aforesaid shall for every
such default forfeite & pay for every hogshead of tobaccoe soe
shipped of or exported without entry thereof the sūme of
forty shillings sterling & soe after the same rate for a greater
or lesser quantity in bulke & the like sūme of forty shillings

Lib. W. H. for the value of a hogshead of Tobaccoe in other goods wares & marchantdizes to be recovered by accon of debt bill plaint or informacon in any Co^t of this Province one third part thereof to his Lord^{pp} the Lord Prop^{ry} one third part to & for the benefitt of the Towne next adjacent to the house habitacon or plantacon of the owner of such Tobaccos or other goods, and the other third pt to the informer or him or them that shall seize or sue for the same wherein noe Essoyne protecon or wager of Law to be allowed any thing matter or clause whatsoever herein or in the aforesaid two seuerall Acts before menconed to the contrary thereof in any wise notwithstanding And it is further Enacted that the person or persons soe bringing the Tobaccoe & goods to such port in case the officer cannot in the slooppe number the Hogsheads or find out the quantity or quality of such goods wares & marchantdizes soe brought as aforesaid without takeing some part thereof out th^t then soe much thereof shall be vnladen as will bring the rest to his sight & veiw. And it is also further Enacted th^t such Officer for such Entry & certificate as aforesaid shall receiue & haue three pence sterling or three pounds of Tobaccoe p Hogshead in Casque or the like quantity in Bulke and after the same rate for other goods & wares Merchantdizes to be paid by the Shipper of or Exported of the Tobaccoe goods & Marchantdizes aforesaid. And be it further Enacted by the Lord Prop^{ry} by & with the advice & consent of the vper & lower Houses of this p^rsent gen^rall Assembly and the Authority of the same th^t from & after the said last day of August in the yeare of o^r Lord one Thousand six Hundred Eighty & Eight all & every pson or psons whatsoever Inhabitants onely or Taxables of this Province Transport or convey to some port or place Authorized for a Towne all Tobaccos & other comodities of the growth of this Province. Intended to be transported (Except as hereafter is Excepted) & put the same into House or Houses or Stores for that purpose built or to be built in order to be there sould and from thence onely shipped of & from noe other place whatsoever and further that all & euery pson or psons whatsoever th^t shall after the last day of August which shall be in the yeare of o^r Lord One Thousand six Hundred Eighty & Eight shipp of Export or convey out of this Province by any wayes or meanes whatsoever any Tobaccoe or other goods wares or M^rchantdizes of the growth producon or manufacture thereof without haueing first landed & housed the same in some port or Towne appointed for trade & takeing a Certificate of such landing & houseing vnder the hand of the Officer of the Towne for th^t time being shall forfeite & pay forty shillings

sterling for euery hogshead of Tobaccoe soe shipped of Lib. W. H.
Exported or conveyed out of this province and soe after the
same rate for a greater or lesser quantity in bulk or for the
Vallue of a hogshead of Tobaccoe in other goods wares &
Merchantdizes to be recouered & payed to such vses & in
such manner as before is appointed & whereas the weighing
Tobaccoe & other comodities wth Stylyards heitherto Vsed is
a certaine abuse not onely to the people of this province but
to the traders of the same.

Be it therefore Enacted by the Authority aforesaid that from
& after the last day of August One thousand six hundred
Eighty & Eight noe Stylyards shall be vsed for the waying any
Tobaccoes wares or Merchantdizes Exceeding the waight of
one hundred pounds in any of the Townes ports or places
authorized for Townes but shall be wayed by weights & scales
and to th^t end the Justices of each respectiue County Co^{rt} are
hereby enjoyned forthwith to send for & procure at the
charge of each respectiue County to be assessed in the
County leuaie substantiall scales & lawfull weights weighing
vpwards of Seven Hundred pownds weight wth three moue-
able posts to be carried from place to place in the Towne soe
th^t the same Justices haue the same ready in Each respectiue p. 286
Towne within each County on or before the said last day of
August 1688 and in default thereof the said Justices of each
respectiue County Co^{rt} shall forfeite & pay for euery such
weights & scales wanting for each respectiue Towne in each
County the sume of ffue hundred pounds of tobaccoe one
halfe thereof to the Lord Prop^{ty} & the other halfe thereof to
him or them th^t shall sue for the same in any Co^{rt} of Record
wthin this Province and the said weights & scales to be kept
by the Officer of each Towne who is to haue & receiue for
each draught therein Weighed the sume of one penny Ster-
ling or one pound of Tobaccoe to paid by them th^t shall bring
the same. And be it further Enacted by the Authority afore-
said th^t noe bill plaint informacon or suite be brought in any
of his Lord^{pps} Courts of this Province for or by reason of any
breach heretofe comitted ag^t the aforesaid Acts but th^t all &
all manner of breaches thereof be & are hereby released &
forgiuen and th^t the Comission^{rs} for Townes now liueing in
Each respectiue County or any fwe of them in case any
Towne or port hereby nominated shall be soe remoate from
the habitacons of fwe Comission^{rs} th^t they cannot conveniently
be & goe vpon the same ports or Townes to Execute this Act
that then & in such case the said Comission^{rs} named in the
said first recited Act or any fwe of them are hereby impowred
to nominate & appoint such other able & discreete psons as

Lib. W. H. to them shall seeme meete to be Comission^{rs} togeather wth the other Comission^{rs} to Execute this p^rsent Act w^{ch} said Comission^{rs} soe by them appointed not exceeding the number of fve shall haue the same power & authority Equall wth such other Comission^{rs} nominated in the said first recited Act to all intents & purposes w^tsoever provided th^t after the said first day of August 1688. nothing in this Act shall be construed, That pipe staues timber or other such like lumber shall be housed in the Towne houses or store houses as Tobaccoes & other
p. 287 goods & Merchantdizes before mencōned are to be but onely to be vnladen & landed & Certificate therefore giuen as afore-said And further be it Enacted th^t all Lotts th^t shall not be taken vp in any towne place or port either in this or the other two former Acts named before the end of fve yeares from the comencem^t of the first recited Act shall revert to the first owner or owners of the said land to be in the same Estate as he or they were seised or possessed of at the time the same was sould but notwithstanding shall be deemed & reputed as Towne lands & haue hold & Enjoy the same liberties privileges & imunities as any other lotts th^t haue or shall be built vpon provided Nevertheless th^t such owner or owners of such vntaken vp lotts at any time within fve yeares after the expiracon of the said last mencōned fve yeares vpon tender of any pson or psons of double the value of the first purchase of a Lott in such Towne & of the charges of first takeing vp the same shall not refuse but shall accept the same in full satisfacon of such lott & th^t such owner or owners shall therevpon at the costs & charges of such taker vp make good & sufficient assureance to such taker vp & his heires & vpon refusall of the same the pson tendering the same & his Heires shall be from thenceforth invested settled & seized of & in the same lott in as ample manner as if he had taken the same vp in due & lawfull time & likewise if any impediment shall be in such owner or owners th^t they cannott make legall assureance by reason of Coverture non sane memoriae non age or otherwise th^t then such taker vp shall be settled seized & invested in the said lott or lotts to him & his heires as if duely takeing vp as aforesaid paying to the said owner or owners double as before is mencōned such takers vp still following the directions in building or otherwise of this & the two former Acts herein before recited And be it by the Authority aforesaid Enacted th^t the seuerall Townes hereafter named & by the said former Acts made places & Townes for trade but now being found by Experience to be places noe wayes fitting or convenient for the same Viz^t th^t Towne on Morgans Land formerly called Barrows towards the head of

Pocomoke, in Dorchester County now comonly called Dor- Lib. W. H.
chester, on Morgans land neere the head of ffishing Creek in
little Choptanck the Towne in Baltemore County in Middle
Riuier on the land of Cornowalls or Loakins, and the Towne p. 288
on stumpt neck neer Chingemuxen on the land late of M^r
Reddishare by & with the Authority aforesaid hereby declared
to be anulled & Vntowned & forever after to be & remaine
vnto the former respectiue owner or owners their heires &
assignes for euer in such plight & condicon of Estate as they
were before the making of the said former Acts as if such Act
or Acts or either of them had neuer been made And lastly
be it Enacted th^t the aforesaid two severall Acts & every
clause matter or thing in the same conteyned (not altered by
this p^rsent Act) shall stand & be in as full force & virtue
as the same ever was before the makeing hereof provided
allwayes & itt is the true intent & meaning hereof th^t all
Tobaccoes of the growth of this Province & other comodities
brought to the seuerall Ports & Townes in this & the fore-
mencōned two Acts in this bill recited to be sold shipped of
or Exported as aforesaid & w^{ch} are to be for th^t purpose
weighed shall be weighed by the Towne scales onely & not
otherwise vnder the paine and penalty of the forfeiture of Tenn
shillings sterling for every hogshead of Tobaccoe or the vallue
of a hogshead of Tobaccoe in other goods & comodities
brought to the Townes & Ports aforesaid for the End & pur-
pose aforesaid and not weighed at the Towne scales as afore-
said one halfe thereof to the Right Hon^{orable} the Lord Prop^{ry} and
the other halfe to the Officer appointed in such Towne or Port
to keep the said Scales.

An Act for Reviueing the Temporary
Lawes of this Province

Be it Enacted by the Right Hon^{orable} the Lord Prop^{ry} by &
with the Advice & consent of the vper & lower houses of this
Generall Assembly and the Authority of the same That one
Act at a Gen^rall Assembly held at S^t Johns the seuenth day of p. 289
Aprill 1661 Entituled an Act concerning the hight of fences
one other Act made the same Assembly Entituled an Act for
Conveyance of all Letters concerning the state & publique
affaires one other Act made at a Gen^rall Assembly held at
S^t Maries the fifteenth day of Septembr 1663 & there con-
tinued vntill the third day of October following & from thence
adjurnd vntill the second Tuesday in Septembr 1664. Enti-
tuled an Act prohibiting arrests vpon Saboath dayes & dayes

Lib. W. H. of Gen^rall Muster & Training. one other Act made the same Assembly Entituled an Act for Amercm^{ts} in the Provincall & County Co^rts one other Act made at a Gen^rall Assembly held at S^t Maries the tenth day of Aprill 1666 Entituled an Act prohibiting forreigne Ingrosers one other Act made at an Assembly began & held at the Citty of S^t Maries the thirtieth day of Aprill 1669 Entituled an Act for limitacon of Certaine Accōns for avoiding suits at law one other Act made the same Assembly Entituled an Act for provideing suffittient freight & carruage for the proper goods & comodities of his Lopps the Lord Propri^{ty} of this Province & the Gou^rners of this province for the time being. one other Act made the same Assembly Entituled an Act what shall be good Evidence to proue foreigne debts. an other Act made at a Gen^rall Assembly held at S^t Maries the seven & twentieth day of March 1671 Entituled an Act against divulgers of false Newes one other Act made the same assembly Entituled an Act against Hogstealers one other Act made the same Assembly Entituled an Act for provideing a Standerd with English weights & measure in the severall & respective Counties wthin this province one other Act made the same Assembly Entituled an Act prohibiting the importacon of all Horses Mayres Guildings or Colts into this Province, one Act made at a gen^rall Assembly held at S^t Maries the tenth of October 1671 Entituled an Act for the Explanacon of one clause in an Act prohibiting Importacon of all Horses, mares, Guildings or

p. 290 Coultts into this Province with an addicon & amendm^t therein one other Act made the same Assembly Entituled an Act marking highwaies & makeing the heads of Rivers Creeks Branches & swamps passable for Horse & foote, One Act made the same Assembly Entituled an Act for stay of Execu^{cō}ns after Aprill Co^rt one Act made at a Gen^rall Assembly held at S^t Maries the thirteenth day of Aprill 1674 Entituled an Act concerning the Impanelling the Grand Inquest in the seuerall Counties within this Province, one Act made the same Assembly Entituled an Act for the Survey^{rs} Gen^ralls ffees with addicon of ffees vpon resurveyes & for leaveying the same, one Act made the same Assembly Entituled an Act for paym^t of ffees due from Criminalls psons, one Act made the same Assembly Entituled an Act concerning those Servants th^t haue bastards, One other Act made the same Assembly Entituled an Act against burners of fences, one other Act made the same Assembly Entituled an Act prohibiting all masters of shippes or Vessells or any other pson from transporting or conveying away any pson or psons out of this province without passes, one other Act made at a Gen^rall

Assembly held at S^t Maries the twelfth day of febr^{ry} 1684 Lib. W. H.
Entituled an Act concerning what shall be allowed to Grand
Juries th^t are sumoned twice a yeare out of the body of the
province to attend Provincāll Co^r^{ts} One other Act made at a
Gen^rall Assembly held at the Citty of S^t Maries the fifteenth
day of May 1676 Entituled an Act for secureing M^rchants &
others Tobaccoe after they haue recd it, One other Act made
the same Assembly Entituled an Act relateing to the seizure
of Tobaccoe by the Sherriffes, One other Act made the same
Assembly Entituled an Act for the publicacon of Marriges
one other Act made the same Assembly Entituled an Act
relateing to servants & slaues, one other Act made the same
Assembly Entituled an Act touching Coopers & gauge of
Tobaccoe Hogsheads, one other Act made the same Assembly
Entituled an Act for Easem^t of the Inhabitants of this Province
in suits at Lawe for small debts one other Act made the same
Assembly Entituled An act for the Constables takeing the lists
of Taxables one other Act made the same Assembly Intituled
an Act against the Importacon of Convicted p^{er}sons into this p^{ro}vince, p. 291
One other Act made the same Assembly Entituled
an Act for secureing Credit^{rs} One other Act made at a
Gen^rall Assembly held at S^t Maries the twentieth day of Octo-
ber 1678 Entituled an Act regulateing Ordinaryes & limiteing
the number of them wthin this Province one other Act made
the same assembly Entituled an Act for the better admcōn of
Justice in the County Co^r^{ts} of this Province one other Act
made same Assembly Entituled an Act for Appeales & regu-
lateing Writts of Erro^r one other Act made the same
Assembly Entituled an Act for keeping a register of Births
Mariges & burialls in each respectiue County within this prov-
ince one other Act made the same Assembly Entituled an
Act imposing a penalty on all such who shall dispose of
Tobaccoe seized or receiued by the sheriffe & others, one
other Act made at an Assembly begune & held the sixteenth
day of August 1681 Entituled an Act for the ordering &
regulateing the Militia of this Province for the better security
& defence thereof, one other Act made the same Assembly
Entituled an Act for the better admcon of Justice in probate
of Wills granting admcōns recovery of legaces & secureing
filiall porcōns one other Act made the same Assembly Enti-
tuled an Act for the more speedy bringing to tryall & sup-
pressing Criminalls & limiting their punishm^t for certaine
Offences when prosecuted in the County Co^r^{ts} one other Act
made the same Assembly Entituled An Act for p^rventing Vex-
atious & Vnnecessary Suits at Law, one other Act made at a
Generall Assembly held at the Citty S^t Maries the twelfth day

Lib. W. H. of November 1681 Entituled an Act ag^t Ingrosers & regraters one other Act made at a Gen^rall Assembly begune & held at the Citty of S^t Maries the five & twentieth day of Aprill 1682 Entituled an Act for Encouragem^t of Tillage & raiseing provisions for Advancem^t of Trade within this Province one other Act made the same Assembly Entituled an Act limiting the Expences of the Comission^{rs} of the County Co^{rs} of this Province, one other Act made the same Assembly Entituled an Act for a Certaining what damages shall be allowed vpon protested bills of Exchange one other Act made at a Generall Assembly begune & held at the Ridge in Ann Arrundell County the second day of October one Thousand six Hundred Eighty & three Entituled an Act for regulateing the tares & abuses in Tobaccoe Hogsheads, one other Act made the same Assembly Entituled an Act limiting the Extent of Attachm^{ts} & provideing what shall be leavied on Attachm^{ts} & Execons, one other Act made at a Gen^rall Assembly held at the Citty of S^t Maries the two & twentieth day of Aprill 1684 Entituled an Act against Excessiue vsury, one other Act made at a Gen^rall Assembly held at S^t Johns the seventeenth day of Aprill 1661 Entituled an Act for appointm^t of Certaine Officers Excepting the latter clause thereof relateing to Sheriffs w^{ch} is not reviued, one other Act made at a Gen^rall Assembly held at S^t Maries the tenth day of Aprill 1666 Entituled an Act prohibiting trade with Indians for any flesh dead or alieue Except deer and Wilde-fowle the same & every of them be & are hereby reviued & continued to stand in full force & Virtue for & dureing the terme of three yeares or to the end of the next Gen^rall Assembly w^{ch} shall first happen.

An Act for advancem^t of Cöynes

Whereas by Experience it is found th^t the want of ready money in this province is a very great hindrance & much impd by trade thereof & th^t without ready money noe Encouragem^t can be giuen to handicrafts and tradsmen either to come or continue in this province Be it therefore Enacted by the Right Hono^{ble} the Lord Prop^{ry} by & with the Advice & consent of the vpper & lower Houses of this p^rsent Gen^rall Assembly & the Authority of the same for the reasons aforesaid & for the encourageing such as shall bring Money into this Province That all Coynes (Except the Coyne of o^r soveraigne Lord the Kings most Excellent Majesty of England) shall be advanced & paid taken & receiued by all psons whatsoever for the full value in money sterling as by this Act is nominated & Enjoyned (th^t is to say) th^t every new England

shilling shall pass & be deemed to passe & shall be paid & Lib. W. H.
recd for twelue pence Sterling & euery new England six pence
for six pence Sterling & either of the said Coynes in lesser or
greater peeces to be advanced the sume of thre pence propor-
tionable in every shilling or twelue pence alsoe every ffrench
Crowne peece of Eight Rex dollars at six shillings sterling
duccatoones at Seven shillings & six pence sterling w^{ch} said
four Coynes of Silver or Gold lesser peeces to be advanced as
aforesaid alsoe all other Coynes of Silver or Gold forreigne
or not forreigne (Except before Excepted) That are or shall
be Lycensed to be Exported out of the Kingdome of England p. 293
& payable in the said Kingdome shall (Except base Coyne)
be paid taken & rec^d with the Advance of three pence sterling
in the Value of twelue pence Sterling in euery peece propor-
tionable And it is by the Authority aforesaid hereby further
Enacted th^t all such moneys & Coynes soe advanced as afore-
said shall be receiued & taken to the Vallue aforesaid in all
paym^{ts} to be contracted for & paid in ready money vnder the
paine th^t vpon suffitient prooffe made of such pson or psons
soe refuseing to Except thereof for or in sattisfacon of any
debt due by Bill Contract Aco^{tt} or otherwise at such rates &
advance as aforesaid shall loose his or their debt or debts soe
due as aforesaid never to be recovered of the debtor in any
Co^{rt} of Record or by any other meanes whatsoever any Law
vseage or Custome to the contrary notwithstanding And be
it further Enacted by the Authority aforesaid th^t noe pson or
psons whatsoever stranger or Inhabitant within this Province
shall Export or attempt to Export out of this Province any of
the aforesaid Coynes or money soe Advanced as aforesaid
vnder the paine of forfeiture of the said money soe Exported
or intended to be Exported as aforesaid one halfe or Moyety
thereof to the Right Hon^{ble} the Lord Prop^{ty} & the other halfe
to the Informer or him or them th^t shall sue for the same in
any Court of Record within this Province by bill plaint or
Informacon wherein noe Essoyne proteccon or wager of Lawe
to be allowed provided th^t nothing in this Act shall be taken
or construed to alter the Lawes already made & provided in
refference to his Lōpps but th^t his Lord^{pps} shall haue take
& receiue his Rents fines & Allienacōns & his Imposicon
of two shillings p hogsheads & all other duties to him
payable in such manner & forme as the same is already
made & provided for to all intents & purposes as if this Act
had never been made And be it further Enacted by the
Authority aforesaid th^t all officers whatsoever haueing holding
or Enjoying any place of profit vnder the Right Hon^{ble} the
Lord Prop^{ty} in this Province to whome any fee or fees are or

Lib. W. H. shall be legally due and payable for doing Executeing or pforming any matter or thing belonging to their Respectue Office and all & euey lycensed Ordinary Keepers wth in this Province shall not refuse but are & euey of them are hereby Oblidged to receiue & take after the rate of six shillings of such advanced Coyne as aforesaid in Lue & instead of euey hundred pounds of Tobaccoe as aforesaid due & payable th^t is to say the said Officers for their fees & the said Ordinary Keepers for their accomodacōns provided the said soe advanced Coynes in Moneys numbred be tendered & paid to such Officer or Officers at the very first Employing of such Officer or at the takeing out of any process act or thing belonging to such Officer and to the Ordinary Keepers at the time of receiueing such Ordinary accomodacons but in case default of p^rsent pay in such Coyne be made th^t then all such fees & Ordinary debts as aforesaid shall be paid in Tobacoe as the same vsually before the makeing of this Act was paid & satisfied This Act to continue & be of force mediately after the end of this p^rsent Sessions of Assembly provided th^t this Act nor any thing herein conteyned shall any wise Extend to protested bills of Exchange in any respect whatsoever this Act to endure for three yeares or to the end of the next gen^rall Assembly.

p. 294

Priuate Acts past

An Act for Naturalizacon of derick Browne

An Act for Naturalizacon of Paul Berte and Mary his Wife

Therefore we comānd you that these Lawes & every Article in them conteyned at the vsuall places in yo^r County you cause to be Proclaimed & Published & firmly to be kept Giuen at S^t Maries the 19th day of Novemb^r in the Eleventh yeare of his said Lōpps dominion &c. Annoq dom. 1686 Vnder o^r great seale of o^r said Province of Maryland Witness o^r trusty & well beloued Henry Darnall Esq Keep^r of the great seale of o^r said Province &c.

Henry Darnall Keep^r

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY
OF MARYLAND,

At a session held at St. Mary's, November 14–December 8, 1688.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

WILLIAM JOSEPH,
President of the Council.

THE UPPER HOUSE OF ASSEMBLY.

At a General Assembly of this Province by Proclamation Lib. W. H.
 Dated the 3^d Day of October Anno 1685 Called to Sit at St P. 546.
 Marys the last Tuesday in March 1686 and from thence by
 Proclamation Dated 5th Day of March prorogued to the last
 Tuesday in October 1686 and from thence by Proclama-
 tion dated the 26th Day of October 1686 prorogued to the
 27th Day of October 1686 aforesaid at which said 27th Day
 of October the said Assembly Sat untill the 19th Day of
 November 1686 and then was Adjourned untill the last Tues-
 day in May 1687 and by Proclamation Dated the 8th Day of
 March 1686 Prorogued till the first Tuesday in November
 1687 and by Proclamation Dated the 21st Day of September
 1687 Prorogued to the first Tuesday in October 1688 by
 Proclamation Dated the 6th Day of September last Prorogued
 to the first Tuesday in March 1689 but by Proclamation
 Dated the 6th Day of October last past Called and Conveened
 to Sit the 12th Day of November instant from thence by
 Proclamation Dated the said 12th Day of November pro-
 rogued to the 13th Day of the same Instant Month and the
 said 13th Instant the same was Prorogued to the 14th Day of
 the same Month at which said 14th Day of the same Month
 Anno One thousand six hundred Eighty and Eight in the
 thirteenth year of the Dominion of the Right Honourable
 Charles Lord Baron of Baltimore &c over this Province the
 said Generall Assembly was begun and held at the City of St
 Maries where appeared of the Upper house—

The honourable { William Joseph Esq^r President }
 { Coll Henry Darnall }
 { Major Nicholas Sewall }
 { Clement Hill Esq^r }

Coll Henry Jowles and M^r James Round from the Lower
 house & acquaint this house that the Lower house were met
 and were ready to receive the Orders of this house—

To which Message this house return for Answer that it is
 the desire of this house that the Lower house with their
 Speaker Come up to this house

The Lower house with their Speaker enter this house and
 the Honourable the President spoke to them as followeth

Gentlemen

It cannot be (or at least I hope it is not) unknown to any
 the Members of this Honourable Assembly, That the unques-
 tionable Duty of every of Us in particular and of us all in

Lib. W. H. Generall Is that we first render thanks & praise to the Almighty for that it hath pleased the Divine Goodness thus to Bless us in this (I hope) so good and happy a meeting, nor
 p. 547 ought we to be Strangers to the End and Duty for which the Divine Providence hath Ordered us thus to meet, I say Providence hath Ordered, for that there is no power but of God and the Power by which we are Assembled here is undoubtedly Derived from God, to the King, and from the King to his Excellency the Lord Proprietary and from his said Lordship to Us, the power therefore whereof I speak being as said

First In God and from God

Secondly In the King and from the King

Thirdly In his Lordship and from his Lordship

Fourthly In Us, so the End and duty of, and for which this Assembly is now Called and met is that from those four heads to witt,

of God	}	We Consider, and first
The King		
Our Lord		
and Selves		
		of Our Duty in Referrence to God

That is to say that part of Our duty to God which properly Lyeth before us and that I humbly conceive Consists in the well Ordering and making of Good and wholesome Laws whereby to punish all publick and Scandalous Offences which shall at any time be Committed by the People of or within this Province against the Divine Majesty, But more especially I Commend to your Care the Utter Suppressing and Abolishing of the several hainous and habitual Crimes now most in Mode and use amongst the People as Drunkenness, Adultry, Swearing, Sabboth breaking &c.

Drunkenness Gentlemen that beastly Sin (to the shame of the Guilty be it Spoken) is but too Common among the People of this Province to the utter Ruin not only of their souls, For that Drunkards shall not Inherit the Kingdom of God, But also of them their Children and families against whom God by his Prophet Isaiah pronounceth Woe Saying Woe to the Drunkards of Ephraim etc. Ought not we then to fear and tremble least God in like manner should (according to Our Deserts) Pronounce Woe to the Drunkards of Maryland it being Doubtless a Sin of all Sins the most Dangerous for not Content in itself it Strangely leads us into (almost) all manner of Sin and Vice depriving us not only of God but even of Ourselves, for it basely unmans us to that Degree that it makes us become greater Beasts than Beasts themselves, So Shamefull it is to see Doggs have more Sense than their Masters and horses more understanding than their Riders.

The Scriptures tell Us that the Drunkards shall Come to Lib. W. H.
Poverty. If therefore the Drunkeness of one Man (as doubtless it will) shall bring himself and family to ruine why then shall not Drunkeness, when it becomes the publick Sin of the People bring the whole Nation to Destruction as indeed it often doth, many Instances whereof I could produce of Divers Kingdoms and Nations that for Drunkeness have been punished of God and given as a prey to their Enemies. There has (Gentlemen) been Severall good Statutes made in England against this Sin of Drunkeness but they have failed of their End the Reason whereof in my Opinion is because the Penalties inflicted by these Laws were not laid Severe enough Wherefore I hope it will become the Prudence of this Assembly so to Consider this so great an Evil as for the future no such disorders may be Committed to the End you may with Joel say Awake ye Drunkards and weep and howle &c.

In like manner I recommend to your Care the utter Suppression of that most horrid and Damnable Sin of Adultry which in these days is grown to that height that with the P. 548
Prophet we may Justly say the Land is full of Adulterers. This Sin (Gentlemen) in the old Law was (as I wish it were by Law now) made punishable by Death for it was Decreed that he that Committeth Adultery with his Neighbours Wife the Adulterer and the Adulteress shall surely be put to Death, and with reason for it not only brings Our Estates to Ruine as it is said that by means of a whorish Woman a Man is brought to a piece of bread but it also brings both body and Soul to Eternal Death for as to Drunkards it is said, That Adulterers shall not Inherit the Kingdom of God So abominable and Shamefull it is for Men Especially Married Men to keep whores as I hear some do not only abroad but even at home under their Wives Noses where the Strumpets rule and the Wives obey to the Scandall of all honest and good men wherefore I pray it may be taken into such Consideration as for the future such Villains may be Excluded from all humane or at least Christian Societys.

As also I pray you may Consider duely of that most Abominable sin of Swearing which Doubtless Occasions many Judgments from heaven to light upon us for that because of Swearing the Land Mourneth. But fearing I may be misunderstood by Some I will before I proceed further Distinguish between Lawfull and unlawfull Swearing, I say Lawfull for that God himself hath sworn the oath which he sware to Our Father Abraham &c. By myself have I sworn saith the Lord, every one that Swareth by him shall Glory, thou shalt fear the Lord thy God and shalt serve him and Swear.

Lib. W. H. by his Name, for when God made promise to Abraham because he could Swear by no greater he Swore by himself, for Men verily Swear by the greater & an Oath for Confirmation is to them an End of all Strife so therefore the swearing which I Deem Lawfull is that which is Sworn in and for Justice Sake, for if all swearing were Sinfull God would not have Sworn by himself as he did nor should We be Commanded as we are to Swear by his name. But that swearing which by the Laws of God is forbid and against which I earnestly move this honourable Assembly is, that (but too) frequent Blaspheming and taking the name of God in Vain upon every frivolous and light occasion not in truth and Justice but in passionate huff and hector in fudling Shops and such like other places of Sottish behaviour as is also forbid that other most Damnable way of Swearing where under the Cloak of Justice and truth they swear the greatest falshoods to the often ruine of the People in their Lives and fortunes and this the Law Calls perjury and is indeed a Crime that We shall be answerable for before the Judgment Seat of God, if by making of wholesome Laws (whilst it is in Our power) we do not endeavour to Suppress so great and growing a Mischief, for that because of this Swearing the Land mourneth, and under it will also come into Consideration not only the perjury of false Witnesses at the Barr, and before Justice but also of false affidavit Swearers and Swearers of false Answers in Chancery, as also all false Jurors of both the Grand & petty Pannells who do not Act as they are Sworn to do nor proceed as they ought according to their Evidence the evil whereof will lye at Our Doors if as said We prevent it not.

p. 549 The fourth thing mentioned under the first and greatest head of Duty towards God is that of breaking the Sabbath by labouring and doing work therein not of Necessity to be done as also by Idle spending and passing that Day in Drinking tipling Gaming &c. all which unchristian practices will (I hope) by the prudent care of this Assembly be prevented as will also I hope all other publick and Scandalous Crimes now most in mode amongst the People. Thus having in the first place gone through these things which relate to Our Duty in reference to God, It will then become the Duty of this honourable Assembly to proceed on the Second part which is that we duely Consider of all such matters as by the Providence of God shall offer in Referrence to Our Sovereign Lord the King.

Kings, Gentlemen, are the Lords Apointed and are by God appointed over us to Rule and (next under God) the King we are bound to fear and honour for that it is said fear thou the

Lord and the King, and again fear God and honour the King, Lib. W. H.
for that a Divine Sentence is in the Lips of the King, and the
King by Judgment Establisheth the Land, and his mouth
Trangresseth not in Judgment, and the Kings Commands
We are by the Laws of God bound to keep, for that it is said
keep the Kings Commandm^t and that in regard of the Oath
of God, for whoso keepeth the Commandment of the king
shall feel no evill thing. The King (Gentlemen) by his Order
in Council bearing Date the fourth Day of November 1687
hath required of Us that We with Virginia pass an Act pro-
hibiting Bulk Tobacco to be Exported out of this Province
&^{ca} This Order (Gentlemen) should have been here Sooner,
but by some neglect or other of the Clerks in England it came
not to my Lords hands in time, so as to have been sent by the
last years Shipping, But sooner or later the King is and ought
to be Obeyed. Some perhaps will presume to question the
Advantage or Disadvantage that may arise by passing of such
an Act which is indeed unbecoming Subjects to call in Ques-
tion the proceedings of the King, as if the good and Evill
which thereby might or could arise were not fully and duely
Considered of in England by the Kings most honourable
Council from whom and by whose Advice that Order did pro-
ceed, But such is the Leven of Some, as always to treat with
dislike the best of things even proceeding from the best of
Kings, & best of Governments, and that for no other reason
but because it Came from the King.

Gentlemen I hope the ill advised proceedings of a late
Neighbouring Assembly on this Occasion will be no president
or of force to weigh with you But as Men of better principles
you will shew that in Alleigance and Loyalty to your King
you know better to obey. I say you will know better for that
it is Obvious to every man of Sense that they were Strangers
to their Duty in as much as they ought to know, that, Mercy
and truth preserve the King, and that in the Light of the
Kings Countenance is Life, and also that the Wrath of a King
is as Messengers of Death and that he who so provoketh the
King to Anger sinneth against his own Soul and who knows
what Just Resentments the King may have of such as well
Undutifull as Disloyall practices.

Therefore Gentlemen I am of Opinion that if it will become
as well the Duty as Allegiance of this Assembly to pass this
Act so as it may not be Binding to the People of this Province
till the same be also done and past in Virginia. And on other
Terms the King desires it not for that it can be of no Advant-
age to the King or people till the Same be Equally Concluded p. 550
as well there as here, nor is the passing of this Act Recom-

Lib. W. H. mended alone but also the Care of all other Matters (to the best of Our Skill and power) which any ways relate to his Majestys Service, for that such are his Lordships Express Commands to us.

There is one thing yet remains upon which I will (before I conclude this Our Second part of Duty) move the Gentlemen of this honourable Assembly which is that an Anniversary Act may Unanimously pass of General Thanksgiving to Almighty God for the Infinite Blessing which God of his Goodness has been pleased to bestow on their Sacred Majesties their Subjects and Dominions in the Birth of so Noble and glorious a Prince to be held and kept holy throughout this Province on every Tenth Day of June during the whole Life of the Prince, which (God who of his mercy gave him) Grant may be long and happy, and to that intent with the Royal Prophet Joining Say, Give the King thy Judgments O God and thy Righteousness unto the Kings Son.

The third part of End and Duty whereof I spoke is that which by the Blessing of God shall Occur in Reference to his Excellency the Lord Proprietary of this Province

Gentlemen I hope there are not any (in this present Generall Assembly) so Wicked as (by Machiavilian Principles) shall go about to divide the Interests of my Lord and his People which indeed are not two Interests but one for that whatsoever shall be for the Good and welfare of his People is also the undoubted Good and Welfare of my Lord whose Chief care and Study is to Encrease wealth and Ease to the Inhabitants of Maryland wherefore who ever shall endeavour to Divide the hearts of the People from my Lord, or my Lord from the People let him (by this Assembly) be Declared a Traitor to Our God, King, Lord and People.

My Lord, Gentlemen desires nothing of us but that we provide well for the People, for that by so doing we provide as well for my Lord as my Lord desires.

He is not (Gentlemen) the Man that puts either the King or People to Charge of or for Government but is one that really endeavours to promote the Interests of both by all meanes to him possible tho there's nothing more certain then that his Lordship and his Lordships Ancestors of ever noble and happy Memory have with the Hazard of their lives Buried a vast Estate in the first Subduement and Since Continued Settlement of this Province to the Allegiance of Our Sovereign Lord the King, to a farr greater Value than the Profits of this Province do (or are like to do) or Amount unto; nor is any thing more apparent, (then) if his Lordships Interests in America were to be disposed of that there's none would

give (Considering the Charge of Government) the tenth part Lib. W. H.
of what they cost, wherefore as my Lord of his part never did
(as he never will) Burthen the People whereby to be Reim-
bursed the said Charge so will it be an Act of the highest
Ingratitude in the People if of their part they do not Justly
and freely pay what is or of right ought to be my Lord's dues.
But as your Care (Gentlemen) to Rectifie abuses (if any be) of
this nature is no ways Doubted so I shall and do desist the
further pressing of this Point to the Intent I may the sooner
Come to the fourth and last Part of Our Duty which is—

That you take all Due Care of Yourselves.

That is to say of the People whose Representatives you are
and this you cannot better do then by providing such good
and wholesome Laws as shall in the first place Suppress all
Publick Sin and Scandall as said in the first part of Duty
towards God least for the Publick Sins of the People God
should Inflict the whole province with Plagues and Judgments
from Heaven, and next unto this your care will be to Study
the Generall Good of the People as well by Deviseing as
readily Complying with all such Acts as by the Blessing of
God shall happen to be proposed in this Assembly which shall
any ways tend to the security of right and reall Good of the
People in General and herein all private and Self Interest is
to be abhorred, so nationally concerned for the publick ought
you and every of you to be unto all which I shall freely Con-
tribute with all the faculties of a truely Willing heart & Mind;
So God of his Mercy guide direct bless and prosper all your
Good & faithfull undertakings Amen.

Gentlemen I have one thing more to offer which is: First
by way of Advice, that before you Begin to make Laws you
do not begin to breake Laws and—

Secondly by way of Demand, That you and every of you
(as I for Example will) take the Oath of Fidelity to the Right
Honourable the Lord Proprietary as the Law Directs which if
any refuse to do the Government will according to that Law
proceed, for if you Obey not the Laws that are made, who,
think you, will obey the Laws that are to make? So God of
his Mercy Direct you as before is prayed.

Which Speech being Ended the Lower house departed to
their own house.

Then was the Oath of Fidelity Administred by the Hon-
ourable Coll Henry Darnall to the Honourable William
Joseph Esq^r who having taken it Administred the Same Oath
to the said Coll Darnall and Clement Hill Esq^r with this
Addition or Salvo; of saving their Allegiance to the King.

Doctor John Brooke and M^r Stephen Luffe from the Lower
house with this Message Viz^t

Lib. W. H.

Lower house of Assembly 14 November 1688.

This house according to the last Proclamation of the 13th of this Instant Novem^r are met and called over and thereupon this house find by Report and Information of Some Members of this house that one of the members and Delegates of this house for St Maries County Viz^t M^r Richard Gardiner and one Member for Charles County Viz^t M^r Tho^s Burford are since the last Sessions of Assembly Departed this Life this house therefore pray the Upper house to enquire of his Lordship whether the Vacancies aforesaid are not Supplied, if not that Writts of Election may issue according to the form of the Act of Assembly to Supply the Same

Signed p^r Order William Dent Cl of the Lower house.

The honourable Major Sewall Comes into this house and the President Administers to him the Oath of Fedelity with the Salvo of his Allegiance to the King

Major Sewall goes to the Lower house with this Message Viz^t

Upper house of Assembly 14th November 1688.

This house do desire that the Lower house before they Enter upon Business would take the Oath of fidelity according to that part of the presidents Speech relating Thereunto and
p. 552 according to the Promise of the Lower house in a Message of theirs of the 29th of October 1686. The Members of this house having taken the said Oath alreadye upon Notice from the Lower house that they are ready to take the said Oath this house will send a Member of the Same to Administer the said Oath as the Law Directs

Signed p^r Order Tho^s Grunwin Cl of Assembly.

Major Sewall returns having Delivered his Message.

M^r George Lingan and M^r Stephen Luffe from the Lower house with this Message following.

Lower house the 14th November 1688.

This house have perused and Considered of their Message of the 29th of Octob^r 1686 and cannot therein find that this house made any such Promise as in the Message by the honourable Major Sewall is Intimated, This house did then and Still do say that they always shall Manifest their Fidelity to his Lordship, and the reason this house then gave for not making any Declaration thereof according to the Act of Assembly was because the same was not proposed in due time which reasons still remain (this being the Same Assembly) and therefore this house Conceives the same Answer may be Satisfactory to the Upper house now as it was then

Signed p^r Order William Dent Cl of the Lower house.

Ordered that a Message in Answer to the foregoing Message Lib. W. H. be sent but before the same was prepared the Lower was Adjourned.

This house Adjourned till to Morrow Morning 8 of the Clock.

The 15th Day of November 1688 the Upper house sat again

Present.

The honourable	{	William Joseph Esq ^r	}
		Coll Henry Darnall	
		Major Nicholas Sewall	
		Clement Hill Esq ^r	

Clement Hill Esq^r went to the Lower house with the Message he was to have gone withall last night which follows

Upper house 14th November 1688.

This house have Considered of the Message by M^r Lingan and M^r Luffe relateing to the Oath of fidelity and they do find that the Chief reason why the said Oath was not taken the last Sessions of Assembly was because the said Oath was not proposed to them in due time before they had Entered upon the Affairs of their house therefore this house did resolve in this Sessions to send to the Lower house early and before they Entered upon other Business, But find by the said Message of the Lower house sent by the said M^r Lingan and M^r Luffe that neither is it now proposed in due time for that this is still the same Assembly, But upon the whole matter for Answer this house does Say that although this be the same Assembly yet it is not the same Sessions and the Laws says it ought to be taken at any time whensoever required by the Chief Governor or Governors or whom they shall appoint, and the Government by this house doth propose the said Oath to the Lower house to be taken by the Members thereof before any other Business be Entered upon, and Besides it was his Lordships Pleasure to declare at the Ending of the Session of p. 553 Assembly in April 1684 in the prsence of both houses That every Member of Assembly for the future should before they be Admitted to Sit take the Oath of fidelity to his Lordship; this house therefore do hope that the Lower house will not refuse so legall and reasonable a Proposition, and this house neither can nor will Deviate from the Law and his Lordships Order made therein as aforesaid. This house therefore desire the speedy Concurrence of the Lower house in this particular hoping that those that ought to be Conservors of the Law will be no breakers thereof.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Lib. W. H. Mr Clement Hill returns and Says he has delivered the aforesaid Message

From the Lower house of Assembly Came Coll Jowles, Mr Underwood, Mr Leiffe and Mr Round and Coll Jowles desired of the Secretaries that the Lower house might have the Journals of the Lower house from time to time ever since his Lordships Dominion over this Province and they Bring with them those two following Messages

Lower house of Assembly 15th November 1688.

This house desire an Answer to their first Message yesterday sent by Mr Brooke and Mr Luffe relating to the Election of Some Delegates that this house may proceed to Settle the same for that this house cannot proceed till Satisfaction therein be given.

Signed p^r Order William Dent Cl of the Lower house

Lower house 15th November 1688.

This house have Considered of the Message this Day brought hither by the honourable Clement Hill Esq^r to which they return Answer (with the former protestation of their Constant fidelity to his Lordship) that they cannot find nor do know of any Law of this Province nor any president of former times or former Assemblies that any such Oath was ever Imposed upon the Lower house of Assembly as they were the Representative Body of the Province, But if the Upper house know or have any Law Imposing such Oath upon this house they are desired to Communicate the Same.

Signed p^r Order William Dent Cl of the Lower house.

Major Sewall goes to the Lower house with this Message
Viz^t

Upper house 15th November 1688.

Upon the last Message from the Lower house by Coll Jowles and others about the taking the Oath of Fidelity This house do say that they Conceive the Lower house Mistakes the intent and meaning of this house in the aforesaid Matter for this house does not as an upper house propose this Oath neither is it proposed to the Lower house as they are a Lower house But to every individuall Gentleman that now are here Assembled together, That they take it as they are Inhabitants and Residents of and in this Province and no otherwise, This house does heartily require the Lower house's Concurrence with them in this; Assureing the Lower house that this house will not proceed to any Business until Compliance in this Matter.

Major Sewall returns having Delivered the said Message Lib. W. H.
Viz^t Signed &^c M^r George Robotham, Doctor Brookes,
M^r Harris & M^r Henry Hawkins with this Message Viz^t

Lower house of Assembly 15th November 1688.

Upon reading the Message of the Upper house Dated the
14 & 15 of November Instant in Answer to them say that this p. 554
house is very Sorry that the upper house has Conceived so
bad an Opinion of the Lower house as though they had for-
gotten their Duty or been unfaithfull to his Lordship and his
Government but this house do protest that they are and will
be always ready and willing to the uttermost of their power
to yeild a faire and ready Compliance in all Matters relating
to the honour of his Lordship and Wellfare of the People that
it may in no ways Intrench upon the Priviledges of this house
believing it to be one Especiall point of their Duty to leave to
their Posterity what themselves have received and hope to
Enjoy, and whereas the said Message of the 15th of November
Instant is Concerning the Oath of fidelity

Resolved by this house that they are not Impowered to Act
with his Lordship or Upper house of Assembly in any other
Qualification or under any other Denomination then as the
Representatives of the Freemen in this Province in the
Assembly.

That this house will still Comply with the desires of the
Upper house in a Message from the Upper house dated the
14th of this Instant November and with their Answer to the
Same of this Days date that they are willing to take the
afores^d Oath of fidelity when the Upper house please to let
this house know of any Act of Assembly Imposing the said
Oath upon the Lower house of Assembly.

That this house is unwilling to be assured that the Upper
house will proceed no further in any Business till the farther
Compliance of this house as to the Oath of fidelity as in the
Latter part of the Message dated this Day as aforesaid. And
that the Upper house be desired to proceed to the Dispatch
of such Business for which this Assembly was Conveened.

Signed p Order William Dent Cl of the Lower house.

The Upper house Adjourned till to Morrow Morning 8 a
Clock.

The Sixteenth Day of November 1688.

The Upper house mett again present as yesterday And M^r
Clement Hill goes with a Message to the Lower house which
is as followeth

Lib. W. H.

Upper house 16th November 1688.

This house do desire that the Lower house with their Speaker and Clerk forthwith Attend this house.

Signed p^r Order Tho: Grunwin Cl of Assembly.

He returns and Says he has delivered the Same.

M^r George Robotham from the Lower house and desires of M^r Secretary Sewall the Journalls that they formerly requested in their Verball Message by Coll Jowles and others of the 15th Instant

M^r Joseph Pile, Coll Jowles, M^r Robotham & Doctor Brooks from the Lower house with this Message.

Lower house 16th November 1688.

In Answer to the Message this Day brought here by the Honourable Clement Hill Esq^r this house say that this house cannot without great Irregularity and breach of their Privi-
p. 555 ledges Attend the Upper house as is desired, But if his Lordship be in the Upper house and Command the Attendance of this house they will readily Obey his Lordship

Signed p^r Order William Dent Cl of the Lower house.

The following Message Sent by M^r Secretary Sewall to the Lower house

Upper house 16th November 1688.

In Answer to the last Irregular and unparliamentary paper brought to this house by Captain Joseph Pile, Coll Jowles, M^r Robotham, and Doctor Brookes, This house desires to know by what Authority the Lower house does sitt and receive Messages from this house If the Lord Proprietary be not by his power now and at all times present in this his Upper house of Assembly, wherefore this house require the Lower house with their Speaker and Clerk forthwith to Attend this house without further Message or Delay

Signed p^r Order Tho: Grunwin Cl of Assembly.

Major Sewall returns having Delivered his Message.

M^r Henry Hawkins, Cap^t Pile, M^r Underwood Doctor Brooke M^r Harris and Captain Coode with this Message Viz^t

Lower house of Assembly 16th November 1688.

This house think not their last Message Irregular or Unparliamentary in that, That if his Lordship Command them to Attend him in his Upper house they are willing and ready so to do But they dare not upon their Fidelity to own or accept any other power under any other Denomination than what his

Lordship by his Writts of Election hath been pleased to Lib. W. H.
Express this house being no ways under the Jurisdiction of
any Upper house of Assembly, this house still protesting their
readiness to Attend his Lordship either in his Upper house or
elsewhere when by his Lordship or his Representatives the
Deputy Governors thereunto Commanded

Signed p^r Order William Dent Cl of the Lower house.

Clement Hill Esq^r goes to the Lower house with the follow-
ing Message.

Upper house of Assembly 16th November 1688.

This house have already given the Lower house to under-
stand that his Lordship the Lord Proprietary is always present
in his Upper house of Assembly, and this house do once more
therefore desire that the Lower house their Speaker and Clerk
do forthwith Attend his Lordship in this his Upper house of
Assembly.

Signed p^r Order Thomas Grunwin Cl of Assembly.

The said M^r Clement Hill returns having Delivered his
Message

The Speaker & the Members of the Lower house with their
Clerk Enters this House.

M^r President Spoke to them to the Effect following

Gentlemen We did not think to meet such unexpected Dis-
turbances, the Occasion that We sent for you was upon
Account of the Oath of Fidelity, wherein I am Commanded to
tell you That Fidelity is Allegiance which by the Laws of Eng-
land may be proposed even to the house of Commons in Par-
liament Sitting, and the refusers are Excluded from being
Members or having any Vote in Parliament, as if they never
had bin Elected, and by the Laws of this Province if you be
within the Province you are bound to take the Oath of fidelity
to the Right honble the Lord Proprietary under pain of Ban- p. 556
ishment fine and Imprisonment at the Discretion of the Gov-
ernment; And further I am to tell you that the refusing Alle-
giance implyes Rebellion, And that you have no Priviledge to
break Contemn or disobey Laws, wherefore you are desired
to return to your house and Consider of it for that the Gov-
ernment will not permitt this house to proceed to any Busi-
ness whatsoever till you Satisfie the Law & Governm^t in this
point for by how much the more you refuse Allegiance by so
much the more the Government have Cause to Suspect your
Loyalty. So God of his Mercy direct you.

Lib. W. H. Which Speech being Ended the Speaker with the Members of the Lower house and their Clerk return again to their own house.

Mr Henry Hawkins from the Lower house & Delivers this Message

Lower house of Assembly 16 November 1688

This house pray the Upper house to Send them a Copy of the Speech this Day made to the them by the honourable President in the Upper house That this house may Consider of the Same.

Signed p^r Order William Dent Cl of the Lower house.

The same sent to them by Major Sewall who returns and says the Lower house are Adjourned.

This house Adjourned till to Morrow Morning 8 of the Clock

The 17th of November 1688. The Upper house sat again

Present

The honourable	{	William Joseph Esq	}
	{	Coll Henry Darnall	}
	{	Major Nicholas Sewall	}
	{	Clement Hill Esq ^r	}

Major Sewall goes again with a Copy of the Presidents Speech about the Oath of fidelity, he returns and Says he has delivered the Same.

The following Message Sent by Mr Clement Hill to the Lower house Viz^t

Upper house of Assembly 17 November 1688.

This house Supposing that the Lower house do still lye under some mistake in the Matter of proposing the Oath of fidelity, This house do therefore further and again Explaine themselves and say as they did in their Message by Mr Sec^{ry} Sewall of the 15th Instant that the said Oath is not proposed by the Upper house as an Upper house nor to them as a Lower house But this Oath is proposed by the Dep^{ty} Governors to both houses as they are Resident & in being within this Province unto which this house have already Complied, and further say that if the Lower house can Contrive a way whereby the said Oath may be taken by every Individuall Member of both houses as it must be before Business can be Entred upon, that this house is ready to Join with them therein.

Signed p^r Order Tho: Grunwin Cl of Assembly.

The said Mr Clement Hill returns and says that meeting Lib. W. H. the Speaker near the Door he askt Mr Hill if he was Come to the Lower house with a Message from the Upper house who told him he was, Whereupon the Speaker desired his Excuse that they were not in a Capacity to receive any Message being resolved into a Grand Committee.

Captain Joseph Pile and Mr John Stone from the Lower p. 557 house and says the Lower house are now ready to receive any Message from this house.

Clement Hill Esq^r with the aforesaid Message goes again and returns having Delivered the Same.

Captain Richard Hill Coll Jowles, Mr Robotham, Mr Brooke, Mr Lingan & Mr Pile with this Message from the Lower house.

Lower house of Assembly 17 November 1688.

This house as is their Bounden duty have Attended his Lordships Commands in both Upper and Lower houses of Assembly and do declare that it is their Duty to Express their fidelity to his Lordship and do not know of any one Individuall Member of this house that directly or indirectly refuses so to doe or that hath in any wise Either within this house or out of the Same used any Speech to the Contrary for should this house be made Sensible of any Such or other Misbehaviour by any Member thereof this house by Virtue of the Power and Authority in them Inherent would proceed against every such Person and Severely punish the Same, But having no knowledge Neither of that nor any other unreverent or undutifull Deportment in any of their said Members whereby to give any Offence Cannot but highly resent Divers words and Expressions Contained in a Speech made to them by the honourable the President in his Lordships Upper house of Assembly and are very sorry that such unusuall and such unjust proceedings should be Imposed upon them which this house thinks is prejudiciall to the power Authority Validity and priviledges of the Same. Therefore—

1st Resolved that this house to their great grief and trouble have met not only with Unexpected but unreasonable and unjust Disturbances, But as by the Journall of this house, this house is in no wise guilty of the Same.

2^d Resolved that there is a great Difference between the Oath of fidelity and Allegiance Either of which or both we have and are always willing to take according to Law.

3^d That what Oath is or has been proposed to the house of Commons in Parliam^t in the Kingdom of England was never proposed and Consequently never refused by the Lower house of Assembly in Maryland.

Lib. W. H. 4th That we have been and Still are as by Our former Messages willing and ready to take the Oath of fidelity according to Law not for fear of the Penalties Intimated in what was Spoken by the President But as it is Our duty and the naturall & direct Result of Our Affection.

5th That that word Rebellion ought not to be in any Message from the Upper house to the Lower house unless accompanied with an Impeachment against the Person or Persons that are guilty

6th. That this house neither do nor did pretend to have any Priviledge to breake or Disobey the Law but do in the name of the whole Province which we Represent Demand the Benefit of the Laws of England and of this Province as our Inherent & Just right which we have hitherto been deprived of in not having the last Writts of Election and Journalls returned as desired by this house.

p. 558 7th That this house knows not how to Satisfie the Law and Government in the Business of the Oath of fidelity other-ways or better than they have done already.

Signed p^r Order William Dent Cl of the Lower house.

Clement Hill Esq^r goes to the Lower house with this Message.

Upper house of Assembly 17th November 1688.

This house do desire that the Lower house their Speaker and Clerk do forthwith attend his Lordship in his Upper house of Assembly.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Coll Jowles, M^r Harris, M^r Hawkins and M^r John Stone with this Message or Resolve.

Lower house of Assembly 17 Novem^r 1688.

Resolve in this house Nemine Contradicente, That the Resolve of the Upper house this Day sent here by the honourable Clement Hill Esq^r not to proceed any further in Business with this house being before they had desired a Conference is against the Priviledges of this house and Unparliamentary.

Signed p^r Order William Dent Cl of the Lower house.

The Lower house with their Speaker and Clerk Enter this house the President Speaks to them as followeth.

Gentlemen

I am Sorry to find such unhappy Misunderstandings as hitherto has happened between both houses to the Impeding and hindering the great Good Intended by this present Meet-

ing; Wherefore I do in behalf of myself and the rest of the Lib. W. H.
Dep^{ty} Lieutenants Prorogue this present Assembly untill the
19th Day of this present Month of November; And the same
is hereby accordingly Prorogued; And so ended this present
Sessions of Assembly.

Memorandum that immediately after the said Prorogation
the Honourable the President required M^r Cheseldyne the
Speaker and the rest of the Members to take the Oath of
fidelity to the Right Hon^{ble} the Lord Proprietary as the Law
directs which after some Debates the said Speaker and the
rest of the Members did accordingly all take Except Thomas
Thurston a Quaker who desired to be dispensed with in
Regard of his Opinion, To which the President readily Com-
plied.

Journall of the Upper house of Assembly by Prorogation p. 559
the 17th Day of this Instant Month of November Pro-
rogued to this present 19th Day of November at which said
19th Day of November Anno 1688 were present of the Upper
house

The honourable { William Joseph Esq^r
Coll Henry Darnall
Major Nicholas Sewall
Clement Hill Esq^r }

M^r Anthony Underwood and M^r William Harris two of the
Members of the Lower house to acquaint this house that the
Speaker and the rest of the Members are ready to attend this
house, And were Answered that this house will give Notice
when they are ready.

Clement Hill Esq^r goes to M^r Beales to acquaint the Speaker
and the rest of the Members that this house is ready, and
desired them to Attend. He returns having Delivered his
Message.

The Speaker and the Members of the Lower house Enter
this house

The President Speaks to them as followeth.

Gentlemen

The Law and Government being now Satisfied in the point
of fidelity I am to tell you that the reasons for calling you at
this time are the same with those Delivered you in my Speech
to both houses of Assembly on Wednesday the 14th of this
Instant November, a true Coppy whereof I herewith deliver to
the End the same may be duely Considered for the whole
Business you are to go upon is therein Divided under these
four heads to witt, of God, the King, Our Lord, and Selves,

Lib. W. H. And if what relates to Our Duty in Referrence to these four be duely Disgested and passed accordingly into Law, I Doubt not thereby but you will gain blessings from Heaven favour from your Prince Love from your Lord and thanks everlasting from the People, And further I am to assure you, that it will be your faults, not Ours, if this proves not the most famous the most happy and most renowned Assembly that ever yet sat in Maryland, So God of his Mercy bless and prosper all your Good Intents. Amen

The Speech being Ended the Speaker and Members return to their own house

Mr Robotham and Doctor Brookes & desire the Journals since his Lordships Dominion over this Province and the Book of Laws & brings this Message.

Lower house 19th November 1688.

This house desire the Upper house to send the last Writts of Elections for Charles and St Maries County of Mr Coad and Mr Hawkins to this house.

Signed p^r Order William Dent Cl of the Lower house.

Mr Clement Hill goes to the Lower house and Carries with him the returns of the Elections of Mr Hawkins and Mr Coode which this house takes to be the meaning of the last Message by Mr Robotham and Doctor Brookes, the said Mr Hill to acquaint the Lower house that they shall suddenly have all the Journals to be found since his Lordships Dominion; he returns and Says he has Delivered his Message.

p. 560. Mr Sec^{ry} Sewall goes to the Lower house with the Book of Laws & the Journals required by the Lower house, he returns and Says he has delivered the same

Ordered that a Letter be Writt to Coll Digges and another to Coll Pye to Summons them to this house which were as followeth

St Maries 19th November 1688.

Coll Digges

We have long Since Expected your Company here in his Lordships Upper house of Assembly But now there is every hour more and more occasion for your Assistance It is very much to his Lordships prejudice as also his People that Business goes so slowly on for We cannot Join in Committee with the Members of the Lower house in any Business till fortified with more Company We being in Number no more then what are the Subscribers hereunto you are therefore immediately upon Sight hereof to repair to and appear in this his Lordships

said upper house of Assembly, that his Lordships and the Lib. W. H. Countrys Business be no longer Impeded.

So We Subscribe S^r Your very Loving Friends,
To the Honourable William Digges William Joseph
in Charles County or else where Henry Darnall
The same to Coll Pye Nicholas Sewall
Clement Hill.

M^r Doyne you being Ordered to press horse and Man, to Carry a Letter to Coll Digges and another to Coll Pye for the quicker dispatch power is hereby granted to those you send by the Upper house of Assembly to press horse or horses in the af^d Journey Going or Coming.

Signed p^r Order Tho: Grunwin Cl of Assembly.

M^r James Round to acquaint this house that the Lower house are Adjourned

This house Adjourned till to Morrow Morning 8 a Clock.

The 20th day of November 1688.

The Upper house mett again

Present

The honourable { William Joseph Esq^r
Coll Henry Darnall
Maj^r Nicholas Sewall
Clement Hill Esq^r }

M^r George Lingan, M^r Hawkins, & M^r Harris with this Message

Lower house 20th November 1688.

Upon calling over the Members of this house there is found Missing M^r Daniel Clarke of Dorchester County who is Delegate for the said County and being Informed by some Members there that the said Clarke is detained from his Attendance here by a occasion of a Warrant from the County Commissioners of Dorchester County being in Pursuance of an Order to them from the honourable the President and Coll Darnall, therefore the Upper house is desired to Enquire of their honours for what matter and Cause their said Member is detained that this house may be Able to Judge whether the said member be not Detained against the Rights and Privileges thereof and that the Upper house will Signifie their honours answer to this house

Signed p^r Order William Dent Cl of the Lower house

Major Nicholas Sewall goes with this Message in Answer to the last.

Lib. W. H.
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Upper house of Assembly 20 Novem^r 1688.

This house upon the last Message Concerning M^r Daniel Clarke brought by M^r Lingan M^r Hawkins and M^r Harris do say that according to the said Message they have enquired of his honour the President and Coll Darnall of the Matter who for answer say that they know Nothing of the said Clarkes Detainment or whether he be detained or not but do say that on the 30th of October last Petition and Complaint was made to their honours by the Wife of the said Clerk of divers Inhumane Usages and beastly Crimes Acted and Committed by her said Husband ; which whole matter was by their honours Transmitted and referred to the Justices of the Peace for Dorchester County to be by them further Examined as by the Copy of their Letter to the said Justices herewith sent it doth and may Appear and further their Hon^{rs} know not

Signed p^r Order Tho: Grunwin Cl of Assembly

Major Sewall returns and says he has delivered his Message D^r Brookes from the Lower house and says that the Lower house does desire to know whether this house have any Business for the Lower house, and was Answered that this house were preparing Business but that the same will not be ready this night.

Clement Hill Esq^r goes to the Lower house and to know if the Lower house has any thing to Communicate to this house to night, if not this house will Adjourn.

he returns and Says the Lower house have not further to Communicate this Night

This house Adjourned till to Morrow Morning 8 a Clock.

The 21th November 1688

The Upper house Sat again

Present

The honourable { M^r William Joseph
Coll Henry Darnall
Major Nicholas Sewall
Clement Hill Esq^r }

Coll Edward Pye then came into this house who desired he might be Excused for his Absence from this house hitherto by reason as he Affirmed that he was so Afflicted with Sickness that he could not Attend this house as he would otherwise have done.

The said Excuse Admitted and Allowed of.

M^r Robotham from the Lower house and desires that the last Proclamation Concerning Towns may be sent to the

Lower house. The same promised and sent accordingly by Lib. W. H. Mr Clement Hill who returns and says he has Delivered the same.

The following Message sent to the Lower house by Major Sewall & Coll Pye Viz^t

Upper house of Assembly 21 November 1688.

This house do desire that the Lower house would appoint Members of their own to Join with Member or Members of this house for the drawing up Bills against such Crimes as are Mentioned in the first part of the honourable Presidents Speech that the same may be Offered to the Consideration of both houses in Order to their being passed into Laws accordingly.

Signed p^r Order Tho^s Grunwin Cl of Assembly

They return and say they have delivered their Message.

Mr Luffe and Mr Stone from the Lower house & bring this Message Viz^t

Lower house 21 November 1688.

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This house have already Appointed a Committee of Laws who are Just now going out upon their Charge and have Orders to Inspect the severall Laws of this Province made against the severall Crimes Mentioned in the first part of the honourable Presidents Speech and if their shall be found either by report of the Committee or any Member of this house that the same Laws be not Strict enough to punish the said Crimes Effectually then this house will be ready to Join Some Members of this house with the Upper house to Amend the Same as is desired by their last Message.

Signed p^r Order William Dent Cl of the Lower house.

Mr Round & Mr Lingan from the Lower house and desire the Statutes at large which were brought hither by Mr Tull at the request of the President the same immediately Delivered to Mr Round.

Mr Harris and Mr Dare from the Lower house with the following Message Viz^t

Lower house 21 November 1688.

The last Sessions of Assembly in 1686 a certain Bill Entitled an Act for securing the Real Estates of Orphans was read three times in the Lower house Assented to and Transmitted to the Upper house for their Assent; To which the Upper house returned answer by a Message of the 17th of November 1686, That the said Bill was well designed but not

Lib. W. H. so effectually and well Worded in the Opinion of this house as it ought to be besides being Matter of great Import required more time to Consider of, than could then be Afforded and therefore was recommended to the Consideration of the next Assembly but the Upper house did not then return the said Bill again to this house Therefore the Upper house is humbly desired now to return the same the Substance of it being of great Moment and worthy of Consideration in the Opinion of this house That so a Bill may be drawn for that Purpose.

Signed p^r Order William Dent Cl of the Lower house.

The honourable Coll Pye goes to the Lower house with the Message following also he is to acquaint them That the President and Coll Darnall desires the Copy of their Letter to the Commissioners of Dorchester County.

Upper house of Assembly 21 Nov^r 1688.

The Message

In Answer to the last Message of M^r Harris and M^r Dare relating to the Bill for securing the real Estates of Orphans this house do say That they have sent for the Clerk of that Assembly in Order to get the said Bill which shall be sent to the Lower house so soon as they can procure the Same.

Signed p^r Order Tho. Grunwin Cl of Assembly

The said Coll Pye returns and says he has delivered his Message both Verball and Litterall and the Lower house will send the Copy required.

Doctor Brooke from the Lower house and brings the Copy of the Letter about M^r Clarke sent to Commissioners of Dorchester County.

M^r LLewellin the late Clerk of Assembly being sent for Appeared in this house, and the Bill past in the Lower house concerning the Securing the reall Estates of Orphans being askt of him, he goes out and brings the same into this house, the same sent down to the Lower house by M^r Clement Hill and with this Message.

Upper house November 21 1688.

This house desire the Lower house may Joyn some of their Members in a Committee with one or more of this house in Order to the drawing up a Bill for preventing the Exportation of Bulk Tobacco out of this Province as by Order of King and Council, a Copy whereof is herewith sent, it is required

Signed p^r Order Thomas Grunwin Cl of Assembly.

He returns and says he has Delivered it

Lib. W. H.

Coll Jowles Mr Ligan, Mr Harris & Doctor Brook from the Lower house with the following Message Viz^t

Lower house of Assembly 21 November 1688.

This house return the Upper house thanks for the Bill about Orphans Estates.

They have also read the Letter Importing his Majesties Royal Pleasure to his Lordship Concerning Bulk Tobacco and the Message therewith brought by the honourable Clement Hill Esq^r and return this answer that at this time Several of the Members of this house are out and in a Committee of Laws.

That it is Voted in this house before any thing further be proceeded on as to the the Business of Bulk Tobacco the said Committee be called in and the same seriously Debated In pursuance of the aforesaid Vote this house will forthwith call in their said Committee, And of the Resolves of this house give the Upper house an Account, But because it is late they Conceive the same cannot be perfected to Night.

Signed p^r Order William Dent Cl of the Lower house

Coll Pye goes to the Lower house to know whether the Lower house have any thing further for this house to night if not this house will Adjourn, he returns and Says the Lower house have not any further to night

This house Adjourn untill to Morrow Morning 8 of the Clock.

The 22 November 1688 The Upper house Sat again

Present

The honourable	{	William Joseph Esq ^r	{	Coll Edward Pye
		Coll Henry Darnall		Clement Hill Esq ^r
		Major Nicholas Sewall		

Then went the honourable Mr Clement Hill & Major Nicholas Sewall with this following Message & propositions to the Lower house Viz^t

Upper house of Assembly 22 November 1688.

This house desire the Lower house to resolve with this house into a Grand Committee of both houses to Debate the only great and Undoubted Good of the People of this Province upon these following heads to witt

1st To Encourage and Improve Husbandry

2^d To promote the sowing of hemp and flax and Reviving the Laws to that Effect or otherwise as shall be thought fitt

Lib. W. H. 3^{dly} To Encourage the making of Linnen and Woollen by Reviving the Laws with Amendments as shall be found Convenient or most proper.

p. 564 4th To Encourage Tradesmen of all sorts to come and Inhabit the Towns & Carry on a Manufacture within this Province whereby we may be Supplied within ourselves of Necessaries fit and Convenient for the Support of Life fearing lest by Interruption of Trade abroad by Warr or otherwise the People should at any time perish for Want of Cloathing or otherwise.

5th To the end that nothing may be wanting to make us happy care may be taken to give Life to the Money Act which hitherto has Layn dead for this Cause that the same is not Binding as well to the Lord as People.

6th To Order so as that Money may be made the Standard and publick Measure of all Trade and Commerce within this Province

Signed p^r Order Tho: Grunwin Cl of Assembly.

The said Messengers return and Say they have Delivered the same

Coll Iowles and M^r Jones from the Lower house with this Message Viz^t

Lower house 22 November 1688.

This house gratefully resent the Proposals of the Upper house in their last Message by the honourable Major Sewall and Clement Hill Esq^r and are ready to Join in a Grand Committee as desired leaving it to the Upper house to appoint any time after this Day for Ent^ring upon the Same.

Signed p^r Order William Dent Cl of the Lower house.

Then was sent to the Lower house Coll Pye with this Message.

Upper house 22 November 1688

This house do return their thanks to the Lower house for their ready Concurrence to Join with this house in a Grand Committee of both houses as desired, This house do therefore Appoint nine a Clock to Morrow Morning at the Council Chamber where the house now sits to be the time and place of and for the said Grand Committee to meet and Debate the severall Matters mentioned in their said last Message by the honourable Major Sewall & Clement Hill Esq^r

Signed p^r Order Tho: Grunwin Cl of Assembly.

Coll Pye returns and says he has Delivered the Message Major Sewall goes to the Lower house to acquaint them that if that house have not any thing further for this house to

night, they are willing to Adjourn. He returns and says the Lib. W. H. Lower house shall have some thing ready for this house in half an hour.

Coll Jowles, Mr Lingan & Mr Harris Mr Brooke & Mr Hawkins and bring this following writing relating to Grievances Viz^t

To the honourable the Deputy Governors in the Upper house of Assembly.

May it please your honours; We the Delegates and Deputies of this present Generall Assembly do in the name of the Inhabitants and freemen of this Province Complain of Severall grievances and Burthens which we now feele and Lye under and desire redress and relief Accordingly Viz^t

Imp^{rs} Whereas by an Act of Assembly Entituled an Act for raising and providing a Support for his Lordship the Lord Proprietary of this Province during his Natural Life &c Made at a Generall Assembly begun and held at the City of St Maries in the Province of Maryland the 27th Day of March 1671 and by other Acts since made Confirming the same and now in force It was thereby Provided that his said Lordship his Receiver or Receivers Generall for the time being shall receive good sound Merchantable Tobacco for his said Lordships Rents and fines for Alienations of Lands reserved upon the Severall and Respective Grants of Land in this Province at the rate of Two pence per pound any thing in his said Lordships Grants to the Contrary Notwithstanding Nevertheless his said Lordships Receivers and other Officers Appointed Contrary to the said Law have and do under Colour of their said Offices not only refuse to receive Tobacco as by the said Law is Provided, But Exact Money Sterling to the great Agreivance and oppression of the Good People of this Province of which we humbly desire Address and Relief. p. 565

2dly. Whereas the honourable the Secretary's of this Province do charge the People of this Province with Several fees which are not by Law due particularly in that for Recording Proceedings which they do take and Extort by way of Execution, the said fees being due and paid under another Denomination of which We humbly desire redress and Reliefe.

3^{dly} Whereas it is provided in the Act for Advancement of Trade that the Right honble the Lord Proprietary should before the last day of August 1685 for the quick Dispatch of Shippes &c Appoint in Wicocomoco, St Maries Patuxent and Ann Arundel for the Western side of this Province & in Talbot and Somerset Counties for the Eastern Shore Some fit Officer or Officers for the Entring and Clearing of Ships in the said Severall and respective places for want of which Trade has

Lib. W. H. been Discouraged to the great Greivance of the Inhabitants of which they humbly desire redress and Relief.

It being likewise very prejudicial to his Lordships Interest and Income

4thly Whereas it is not only a great Agreivance to the Present Inhabitants of this Province But also of fatall Consequence to their Posterity, That Laws made & Assented unto by his Lordship and the People of Province should be dispenced withall by any other Authority than by which they were first made, which we humbly desire to Know if his Lordship do intend to Annull that Clause of the Act about Bringing Tobacco to Towns without an Act of Repeale

5th Whereas the Attorney General has often presumed upon his own Authority as Attorney Generall to send out precepts Directed to the Severall Sheriffs Commanding them to bring the Bodys of Severall the Inhabitants of this Province to the Provincial Courts to Answer such things as should be Objected against them by which means severall of his Lordships Good People have been taken into the Custody of the severall Sheriffs and brought to the Provincial Court being altogether Ignorant of what should be laid to their Charge before they Come upon their Tryall Contrary to the fundamentall and known Laws and to the great Agrievance & Unsupportable Charge and Damage of his Lordships Good People of which We humbly desire to be relieved.

6thly Whereas it is a great Agreivance to the Inhabitants of this Province that any persons not Lawfully Empowered but only pretending a Power from some of his Lordships Militia Officers in time of Peace should as often they have done press and Violently take from severall of the said Inhabitants the most part if not all their Store of Meat and other Provisions which should be for the Support and Relief of their Respective families the remaining part of the Year to the great Damage and oppression of the said Good People, of which We humbly desire to be relieved.

7thly Whereas the Provincial Court being Adjourned to the last Tuesday in January next which is the Dead time of the year and the most perilous and incomodious time for the people to give their Attendance We conceive that it is a great Agrievance of which We humbly desire Redress.

p. 566 8thly. That it is a great Greivance to the People of this Province for the Officers of Towns & Exact three pence Sterling or three pounds Tobacco p. hhd for any Tobacco whatsoever which is not Actually brought to the several Towns accord: to the Letter of the further Additionall Act to Act for Advancement of Trade and to the Supplementary Act

to the Same Which we humbly desire your honours to take Lib. W. H.
into your most Serious Consideration and that of the same we
may have Redress and relief

Signed p^r Order William Dent Cl of the Lower house

M^r Clement Hill goes to the Lower house with this Mes-
sage Viz^t

Upper house of Assembly 22 November 1688.

The answer of the Deputy Governors in the Upper house
of Assembly to the Deputys and Delegates of this present
General Assembly relating to their Remonstrance of Agriev-
ances this Day delivered by Coll Jowles M^r Lingan, M^r Harris,
M^r Brooke & M^r Hawkins say that they have perused their
said Remonstrance, and whereas the same do Consist of
Several heads and divers natures they cannot immediately so
fully inspect the same as the severall matters therein Contained
require, But say that due Consideration shall be had to every
particular therein Mentioned and what ever shall appear to be
Agrievance we the said Deputy Governors will take such care
as the same shall accordingly be duely rectified

Signed p^r Order of &c

M^r Hill returns and says he has delivered his Message.
This house Adjourns till to Morrow Morning 8 a Clock.

The 23^d Day of November 1688.

The Upper house met again.

Present

The honourable { William Joseph Esq^r } Coll Edward Pye }
 { Coll Henry Darnall } Clement Hill Esq^r }
 { Major Nicholas Sewall }

M^r John Stone from the Lower house and tells this house
that the Lower house are ready to Attend this house, and was
Answered this house will send them word when ready.

Major Sewall goes to the Lower house to tell them that this
house is ready when they please to come, He returns and says
he has delivered his Message and that they will waite upon
this house immediately.

The Speaker and the Lower house and their Clerk Enters
this house and the Debate Began, And therein it was Voted—

1st That Husbandry be encouraged

2dly. That the Sowing of flax and hemp be encouraged

3dly. That the making of Linnen & Woollen be encour-
aged.

- Lib. W. H. 4thly. That Tradesmen be invited in and encouraged.
 5thly. That it is necessary that bringing in Money be encouraged
 6thly. That money be the Publick measure and standard of Trade and Dealing and all Contracts and Bargains.
 The Debate being Ended the Speaker and Lower house & Clerk depart to their own house.
 p. 567 And this house Adjourns till to morrow Morning 8 a Clock

The 24 November 1688 The Upper house mett again

Present

The honourable	{	William Joseph Esq ^r	}	Major Nicholas Sewall
		Coll Thomas Tailler		Coll Edward Pye
		Coll Henry Darnall		Clement Hill Esq ^r

M^r Harris & M^r Hawkins from the Lower house with this Message.

Lower house of Assembly 24 November 1688.

This house have Considered not only several things proposed to them by a Message from the Upper house relating to Bulk Tobacco but also of Several Propositions made to the Grand Committee yesterday in the Council Chamber In answer whereunto they say first that as to that of Bulk Tobacco they find by the Copy of the Letter sent to this house being from his Majesties Most honourable privy Council to the Right Honble the Lord Proprietary of this Province that there was some Petition preferred to his Majesty by some Merchants Owners Adventurers and Planters of Virginia & this Province praying such a Prohibition as was Intimated to this house at the Opening this present Sessions of Assembly, Therefore before this house can proceed to make any positive answer to the same or make any Resolve therein, They pray the Upper house to send a Copy of the said Petition (if they have it or can procure it) to this house that the reason for praying it may Appear, And as to Severall other things proposed to the Members of this house yesterday when Resolved into a Grand Committee; They say that the same appears to them to be matter of great Moment and worthy of further Consideration, They therefore think it proper and Expedient not only to take further Consideration thereof but to Advise with those whom they Represent being of the like moment to them also Especially that Relating to Money.

Signed p^r Order William Dent Cl of the Low^r house.

M^r Clement Hill goes to the Lower house with this Message.

Upper house of Assembly 24 November 1688.

Lib. W. H.

As to that part of the last Message by M^r Harris and M^r Hawkins that Related to the Petition about Bulk Tobacco, This house say that they have not any such Petition neither has the Government any such Petition sent them out of England or else where. If this house had the same or could tell where to procure it, they should be free to send as desired.

Signed p^r Order Tho: Grunwin Cl of Assembly.

He returns and says he has Delivered the same
Coll Tailer and Coll Pye go with this Message.

Upper house Assembly 24 November 1688.

As to the other part of the last Message by M^r Harris and M^r Hawkins relating to the Debates of yesterday in the Grand Committee this house earnestly Desire That so Generall a Good as is thereby Designed may not dye by being Stifled for want of Air to give it Life, This house do therefore desire the Lower house Once more to Resolve with this house into a Grand Committee in Order to a further Debate about the Premisses; To the End that all Objections may Unanimously be Agreed Especially in a Matter of such undoubted Advan- p. 568
tage to the People of this Province

Signed p^r Order Thomas Grunwin Cl of Assembly.

They return and say they have delivered it
Came from the Lower house M^r John Stone & M^r William Dare with this Message

Lower house of Assembly 24 Nov^r 1688.

This house humbly pray the Honourable the Deputy Governors will be pleased to give an Answer to their Remonstrance of Agreivances as their honours have been pleased to promise Because their Committee of Laws who are now ready to go upon their Charge for want of such Answer cannot regularly proceed

Signed p^r Order William Dent Cl of the Lower house.

The honourable Major Sewall goes to the Lower house with this Answer to the before going Message Viz^t

Upper house of Assembly 24 November 1688.

This house do say in answer to the Message of the Lower house of this Day by M^r Stone and M^r Dare relating to the Remonstrance of Greivances, That this house have Applied themselves to the Deputy Governors in this his Lordships Upper house of Assembly about the said Grievances, And for answer their Honours the Deputy Governors do say that

Lib. W. H. whereas some of the members of the upper house are Concerned in the said Remonstrance of Greivances; The Deputy Governors do therefore desire to hear both Parties and in Order thereunto this house is ready to resolve with the Lower house into a Grand Committee whereby to Debate the said matters in order to Rectify all abuses of that Nature for that the Deputy Governors do assure the Lower house, That they are ready to Suppress all such Matters as shall any way appear to be Agreivance to the People.

Signed p^r Order Tho. Grunwin Cl of Assembly.

Major Sewall returns & says he has delivered his Message
Coll Pye goes to the Lower house to know if they have any further to Offer to this house to Night. He returns and says the Lower house will send to this house in half an hour.

Dr. Brookes and M^r Round from the Lower house with this Message

Lower house 24th October 1688.

In answer to the last Message by the Honourable Coll Tailler & Coll Pye This house say that it was yesterday understood by the Members of this house when in a Grand Committee that these severall Proposals then made were so Dependant one upon the other that unless the whole was Consented to all the rest would be ineffectuall to the End Proposed, And therefore this house upon Serious Consideration thereof finding some things therein of new Device to be of Deep Consequence to the Good People of this Province which according to the Custom of Parliaments in England have not been usually assented to till Advise with their Countrys; They did this Morning Signifie their desire of further time of Consideration and that they may Communicate with those they here Represent, and therefore they say that as to the other proposalls so farr as was yesterday Resolved on to witt that for Encouragement of husbandry and the Methods thereon Agreed, That for Sowing flax and hemp and the Methods thereon agreed, That for the Encouragement of Tradesmen to come and Inhabit the Towns and the Methods thereon Agreed, they conceive the same will tend to the great good and benefit of this Province and therefore are willing and ready to have further Conference with the honourable the Upper house upon Monday next in Order to drawing up Bills for the same purposes.

Signed p^r Order Lower house William Dent Cl.

This house Adjourned till Monday Morning 8 a Clock.

Monday the 26th November 1688 The Upper house Sat again Lib. W. H.

Present

The honourable { William Joseph Esq^r } Coll Edward Pye }
 { Coll Henry Darnall } Clement Hill Esq^r }
 { Coll William Digges }

Mr Jones and Mr Dare from the Lower house with this Message Viz^t

Lower house of Assembly 26 November 1688.

This house are met and ready to proceed upon the Affairs thereof in Order thereto desire the honourable the Upper house's Answer to their last Message on Saturday relating to Severall things proposed and resolved on in the last Grand Committee

Signed p^r Order of the Lower house William Dent Cl.

Coll Pye and Mr Hill goes to the Lower house with this Message Viz^t

Upper house Assembly 26 November 1688.

In answer to the last Messages of Saturday the 24th Instant by Mr Brookes and Mr Round and of this Day by Mr Jones & Mr Dare This house do say that some of their Members are now Absent but will Imediately be here and that then this house will be ready according to their Message to the Lower house of the 24th Instant to resolve with the Lower house into a Grand Committee in order to a further Debate upon the Premisses treated of in the last Grand Committee and that this house will give Notice to the Lower house so soon as this house shall be ready.

Signed p^r Order Tho: Grunwin Cl of Assembly.

They return and say they have delivered their Message.

Mr Clement Hill goes to the Lower house to acquaint them this house is ready to receive the Lower house and to Resolve into a Grand Committee according to the last Message. He returns and says he has acquainted the Lower house as Ordered.

Coll Tailler Enters this house.

The Lower house with their Speaker and Clerk Enter this house and both houses Resolve into a Grand Committee and Enter upon the Debate which being Ended the Lower house go forth again.

This House Adjourned till to Morrow Morning 8 a Clock

Lib. W. H. The Upper house Sat again the 27th November 1688.

Present

The honourable	{	William Joseph Esq ^r	{	Major Nicholas Sewall
		Coll Thomas Tailler		Coll Edward Pye
		Coll Henry Darnall		Clement Hill Esq ^r
		Coll William Digges		

Came from the Lower house M^r Henry Hawkins and M^r William Dare & brought the fol: Message.

p. 570

Lower house 26th November 1688.

In Concurrence with what the honourable President was pleased to Offer Relating to the Remonstrance of Agrievances this house humbly Signifie to the honourable the Governors in the Upper house that this house are ready to Appoint some Members to manage the same as the said honourable Governors required and desire to know when their honours will be ready to hear the same

Signed p^r Order of the Lower house William Dent Cl.

Coll Digges and Major Sewall go to the Lower house with this Message

Upper house of Assembly 27th November 1688.

In Answer to the last Message from the Lower house of the 26th Instant by M^r Hawkins and M^r Dare relateing to the Remonstrance of Agreivances the honourable the Deputy Governors do say they are ready to hear and Determine the same when ever the Lower house by their Members appointed to Manage the same shall appear.

Signed p^r Order Tho: Grunwin Cl of Assembly.

They return & say they have delivered their Message

D^r Brooke from the Lower house with M^r Lines Account against Doctor Scurfield the same read and is as followeth

April 2^d 1688.

Account for D^r Paul Scurfield for his Entertainment at my house

Commencing the Day as above Mentioned.

To his Dyet from the said April untill the 28th of this	}	8640
Instant November 3 Meales p ^r Day at 12 ^{lb} per Meale		
Comes to		
To Lodging for said Scurfield at 4 ^{lb} per night		960
To Dyet for a nurse to attend him said time Comes	}	8640
to the same as above		
To Lodging for the Nurse at 4 ^{lb} per Night		960

To a pint of Cyder or other Liquor each morning the Nurse had before went to dress D ^r Scurfield's Soares Comes to at 30 ^{lb} per Gallon	}	900	Lib. W. H.
To the Nurse I pay her per the Courts Order of S ^t Maries County 300 ^{lb} Tob ^o per Month being Eight Months			
		2400	
		23700	

To 2 flock Beds Blankets and other Necessaries quite rotted and utterly Ruined and fitt for nothing by his lying in the same I leave to the honourable houses of Assembly to Allow me for them what they think Convenient.

To four Sheets and a Table Cloath for Rowlers and Trusses had to dress his wounds

May it please the honourable houses to well Consider the great trouble and Inconveniency that I have had with the abovesaid Doctor Scurfield and that I have only Charged for his Dyet and Lodging and the like for his nurse according as the Law Allows & Allow the same to your honours Petitioner Philip Lynes.

This Account referred to the Committee of Accounts.

The Petition of Thomas Hagleton a Negroe against the Exec^{rs} of Thomas Trueman read and Ordered that Execution issue as is prayed for the sum of 3496^{lb} Tobacco and 672^{lb} Cost of Petitioning the Upper house of Assembly.

The following Message for appointing a Committee sent to P. 57¹ the Lower house by Coll Pye and M^r Clement Hill Viz^t

Upper house of Assembly 27 Nov^r 1688

This house desire the Lower house to Join some of their Members with the honourable Coll William Digges and Clement Hill Esq^r Members of this house appointed to be of the Committee of Accounts whereby to Audite and agree the Publick Account of this Province for that this week will Conclude this Sessions.

Signed p^r Order Tho: Grunwin Cl of Assembly

Coll Pye and M^r Hill returns and say they have delivered their Message

Upper house of Assembly 27 Novem^r 1688.

This house desire the Lower house to prepare such Bills as shall be thought fitt for punishing the several enormous Crimes, of Drunkenness, Whoredom Swearing: Saboth break-

Lib. W. H. ing &c. as also for Prohibiting the Exportation of Bulk Tobacco to which End this Assembly was partly Convened.
Signed p^r Order Tho: Grunwin Cl of Assembly.

The said Message sent by Major Sewall who returns and says he has D^d the same

Upper house 27 November 1688

This house taking into their Serious Consideration the great and most unsufferable Greivance which the Inhabitants of this Province Suffer by the Excessive Charge of Assemblies not so much for and in the Necessary Expence of the Members of Assembly But for and by reason of the Divers frauds that are often used and practiced by the Severall Ordinary Keepers in charging more to their Accounts than ever was Expended this house do therefore desire the Lower house to Join with this house in the further Consideration thereof whereby to Ease the People of this Province of the said Grievance by Limiting every member of future Assemblies to an Allowance of so much per Diem or otherwise as shall be thought fit.

Signed p^r Order Tho: Grunwin Cl of Assembly.

The same sent by Coll Digges and Coll Pye who returns having delivered the same. Coll Jowles and M^r Lingan from the Lower house with this Message Viz^t

Lower house 27 November 1688.

In Answer to the last Message by the honourable Coll Digges and Coll Pye this house say That they are now a preparing severall Bills and other things for the Consideration of the honourable Upper house and when those are out of hand they will Signifie the same and if the Upper house will please to Join some Members of this house in Committee to draw up a Bill for prevention of the Evils in the said Message Mentioned. This house shall readily Concurr in any thing reasonable

Signed p^r Order of the Lower house William Dent Cl.

M^r Clement Hill goes to the Lower house and acquaints them this house are ready to Adjourn if the Lower house have not further to Offer to this house to night, He returns and says the Lower house have not further to Night

This house Adjourned till to Morrow 8 a Clock in the Morning

The 28th Day of November 1688.

Lib. W. H.

The house sat again

Present

p. 572.

The honourable { William Joseph Esq^r } Coll Edward Pye }
 { Coll Henry Darnall } Clement Hill Esq^r }
 { Maj^r Nicholas Sewall }

Mr Clement Hill goes to the Lower house with the Petition about negroes Committing abuses in Charles County thus Endorsed by the Upper house.

Upper house of Assembly 28th November 1688.

This house do Concurr with the Lower house in their Opinion to remedy the Dangers threatned by this Petition and say that whereas the Representatives of the Countys wherein the Disorders therein Mentioned are Committed are present in the Lower house, this house do therefore leave it to the Lower house to do therein as shall be thought Convenient wherein this house shall be always ready to give their reasonable Assent

Signed p^r Order Thomas Grunwin Cl of Assembly

Mr Hill returns having Delivered the Petition

The honourable Coll Tailler Enters this house from the Lower house came D^r Brookes, M^r Lingan & M^r Hawkins with this Message.

Lower house 28th November 1688.

This house have Considered of the Message of the Upper house relating to the Punishing the several Crimes of Whoredome, Adultery, Swearing, Cursing & Sabbath breaking &c. And say that they are not unsensible of the too frequent Committing the said Crimes in this Province, But think not the same through any Deficiencies of the Laws for that there have been formerly several good and wholesome Law provided in this Province against the said Crimes, particularly the Law for punishing certain Offences, The Act of Religion, The Act for keeping holy the Lords Day which are all yet in force, In and by which there are severall punishments provided against the said Offenders, But this house Conceive that the Occasion of the said Crimes being so frequently Committed in this Province is because the said Laws are not put in Execution against the Offenders by those Magistrates that are intrusted therewith, Nevertheless, if the Upper house please to prepare any other Bill against those Crimes this house shall readily in reason Concurr in passing the same into Law.

Signed p^r Order of the Lower house Will^m Dent Cl.

Lib. W. H. The said Messengers also bring the Act for mending Trade and bettering the Quality of Tobacco in this Province

An Answer to the upper hous concerning Bulk Tobacco

An Act for the Encouragement of making Linnen & Woollen Cloth within this Province

An Additionall Act to the Act for Encouragement of Tillage and raising Provisions for advancement of Trade within this Province.

An Act for Encouragem^t of Sowing and making hemp and flax within this Province

The said four Acts read the first time

p. 573 The answer about Bulk Tobacco also read Vide the same in fol. 43

This house are of Opinion that the Act for Amending the Trade and bettering the Quality of Tobacco in this Province will not Answer to the end Intended & therefore Rejected

The Additional Act for Encouragement of Tillage and raising Provisions for Advancement of Trade within this Province Voted to be past with those Amendments.

Upper house of Assembly 28th November 1688.

This house have Consented to pass the Additional Act for Encouragement of Tillage &^c with these Amendments Viz^t

1st That it be Mentioned all or any sort of English Grain or Indian Corn

2^d That the Allowance for Malt be as well for wheat Malt as for Malt of Barley.

3^d That the Act do not intend the Encouragement and Allowances for any Grain Sowed or put into the Ground at any time before the Publication of this Act.

4thly. That the Encouragement hereby intended shall not Extend to any Grain or Malt but such as shall be really of the Growth and produce of this Province. Sent by Coll Pye.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Coll Pye Ordered to acquaint the Lower house that if they have nothing further for this house to Night This house will Adjourn He returns and says that the Lower house have not further to Night.

This house Adjourned till to Morrow Morning 8 of the Clock.

The 29th of Nov^r 1688 The Upper house sat again Lib. W. H.

Present

The honourable { Mr Joseph } Coll Pye }
 { Coll Tailler } Mr Hill }
 { Coll Darnall }

The Act for Encouragement of Sowing and making of hemp and flax within this Province read the Second time and the third time and Assented to by this house

D^r Brooke from the Lower house with this Message Viz^t

Lower house 29th November 1688.

Herewith is sent the Bill for Encouragement of Tillage &c. with such Alteration therein made as the honourable Upper house desired in the last Message by Coll Pye and pray the Concurrence of the Upper house therein, And that they will please to Concurr in the other Bills yesterday sent, and Transmitt them back to this house in Order to their farther proceedings to the other Business now before them, This house have also Appointed M^r Robotham M^r Underwood and Captain Pile & M^r Round to be of a Committee of Accounts if the Upper house please to Join any Members of theirs with them they are ready to attend their Charge. He also brings the Bill for Encouragement of Tillage &c.

Signed p^r Order of the Lower house William Dent Cl.

Coll Digges Enters this house.

The said Act for Encouragement of Tillage &c read with Amendments The same sent down to the Lower house And to desire that the words (or any other sort) may in two places be put in, Coll Pye goes with it and returns and says the Lower house had neglected, but would mend it and Send it immediately.

Coll Jowles from the Lower house and brings the said Bill p. 574 the same read and Past this house.

The Act for Encouragement of Making Linnen and Woollen Cloth read the 2^d time Read again the third time and Assented to

M^r Clement Hill goes to the Lower house with these three Bills Assented to by the Upper house Viz^t

Bill for Encouragem^t of Sowing & Making of hemp and flax &c.

Bill for Encouragement of Tillage &c.

Bill for Encouragem^t of making Linnen & Woollen Cloth within this Province.

He returns and has delivered the said three Bills.

Lib. W. H.

Upper house 29th November 1688.

In Answer to that part of the last Message that relates to the Committee of Accounts sent by Dr Brookes (This house) as in a former Message of the 27th Instant have and do Appoint the honourable Coll Digges and Clement Hill Esq^r to Join with the four Members of the Lower house in the afore-said Message by Doctor Brookes nominated, And the said Members of this house are ready to Join with those of the Lower house when notice thereof shall be given to this house.

Signed p^r Order Thomas Grunwin Cl of Assembly.

Upper house of Assembly 29 November 1688.

This house desire the Lower house to take into their Serious Consideration that part of the honourable Presidents Speech relating to the passing an Anniversary Act of General Thanksgiving to Almighty God for the Birth of the Prince to be kept holy throughout this Province yearly on every Tenth Day of June during the Life of the Prince, This house being Sensible that nothing can better Testifie Our thanks to the Almighty or Our Loyalty to Our King than the passing of Such an Act for thereby we shall Surpass all the Methods of Addressing that have or ever shall be presented on this Occasion.

Signed p^r Order Tho: Grunwin Cl of Assembly.

The said two Messages sent by Coll Digges and Coll Pye who returns & say they have delivered the Same

Captain Joseph Pile and acquaints this house that the Lower house Members for Committee of Accounts are ready

The honourable Coll Digges and M^r Hill go out to Join with Committee of Accounts.

M^r Thurston from the Lower house and brings a Petition of Thomas Evans Concerning a Negroe that had killed his hoggs who was last Court before this in the Pillory and Cropt but the Petitioner wants the fourfold.

This house Adjourned for half an hour then Sat again

Present

The honourable { William Joseph Esq^r
Coll Henry Darnall
Coll Edward Pye }

M^r Harris M^r Brookes and M^r Lingan from the Lower house
p. 575 & Bring the Bill for Preservation of Orphans reall Estates.

This house Adjourned till to Morrow Morning 8 a Clock

The 30th Day of Novem^r 1688 The Upper house sat again Lib. W. H.

Present

The honourable { William Joseph Esq^r } Coll Thomas Tailler }
 { Coll Henry Darnall } Major Sewall } afterwards
 { Clement Hill Esq^r } Coll W^m Digges }

Came from the Lower house Coll Jowles, D^r Brookes, M^r Lingan, M^r Harris, M^r Stone, M^r Dare and M^r Hawkins & bring the Act for the Princes Birth Day the same read the first time.

M^r Thurston and M^r Hawkins from the Lower house with these two Bills

An Additionall Act to the Act for Regulating Ordinarys and Limiting the Number of them within this Province.

An Act for Advancement of Coins the said last Act read the 1st time and Rejected

Coll Digges & M^r Clement go out to the Committee of Accounts

Coll Pye Enters this house

Coll Pye goes to the Lower house with this Message.

Upper house of Assembly 30th Novem^r 1688.

Herewith is returned the Act for Advancement of Coins being wholly Deficient and against which there can be no greater Offender than the Act it self for by this Act this Act is Destroyed It being vain to think that ever money will be brought into this Country till it be made Currant and it will never be Currant whilst any be Excepted from receiving it at its Currant and inhanced Value. Besides there is no provision made to prevent abuses and frauds by Clipt and light Money Wherefore this house desire the Lower house to re-assume the further Consideration of this Act

Signed p^r Order Tho: Grunwin Cl of Assembly.

Coll Pye returns and Says he has delivered the said Message.

The honourable Coll Tailler and Major Sewall go to the Lower house with the Act for the Anniversary Day for the Birth of the Prince and this Message.

Upper house of Assembly 30th Novem^r 1688.

This house have sent again to the Lower house the Anniversary Act for the Birth of the Prince and do desire the same may pass with these Amendments Viz^t

1st That after the word Consort in the Second Line be added these words the Queen

2^d That after these words (Set apart) in the 8th Line be added (and kept holy)

Lib. W. H. 3^d That all persons be Obliged to resort to their severall Churches or Chappells or other Places of Worship on that Day where the Severall Pastors and Teachers shall attend their Spiritual Duties as on other festivals &c. as is mentioned in the Anniversary Act of 12 Car. 2: 14 And this Act be then and there read &c. And that to the Title be Added (for the Birth of the Prince. They return having delivered their Message

Signed p^r Order Tho: Grunwin Cl of Assembly.

Dr Brooke, M^r Stone and M^r Hawkins from the Lower house with this Message

Lower house 30 November 1688.

This house taking into their Serious Consideration the Proposals by the honble President this Sessions made to the
p. 576 Members of both houses when in a Grand Committee Relating to the bringing in of Money into this Province &c. and finding the same to be matter of great Importance to the Province although they Conceive the same not fitt Suddenly to be undertaken, without due and timely Consideration nor till it be rightly understood, yet they are not willing nor Desirous that any thing of so Good a Consequence as this is represented to be to this Province should remain unresolved.

Therefore in Order to preserve a right understanding of the same and that it may be effectually Considered of; They desire the honourable the Upper house will Join with this house in a request to the said honourable President that he will please to send the said proposals in writing to this house with his reasons Enforcing the Same that they may the better understand them and be able to give their Result thereof against next Meeting.

Signed p^r Order of the Lower house W^m Dent Cl.

Coll Pye goes to the Lower house with the Act about Ordinary keepers and this Message.

Upper house of Assembly 30 Novem^r 1688.

This house are ready to Assent to the Additionall Act for Regulating Ordinaries &c. with these Amendments

1st That the blank in the Second Line of the first Sheet be filled up

2^d That in the 2^d line of the Second Sheet after the word Voyd be Added these words (and for ever be a barr)

3^d That after the word Money in the Ninth line of the Second Sheet the words (or Tobacco) Implies Credit, and the Ordinary keeper left to Impose as before.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Coll Pye returns and says he has delivered the Same.
Coll Jowles and Mr Lingan from the Lower house and bring
this Message Viz^t

Lower house of Assembly 30th 9br. 1688.

This house are Sorry to hear of such Misunderstandings between the Members of this house Appointed for a Committee of Accounts and the Members of the Upper house about a Clark. It cannot be unknown to the Upper house That all Committee Clarks hath always been Appointed by this house or Chosen by Vote in the Committee And that for the two last Sessions James Cullen was Clarke of the Committee of Accounts and Consequently the best Able now to Serve therein, And for that reason was so appointed this Sessions which is the Undoubted Right and Priviledge of this house and hope the Upper house will not infringe it, This house hath again Set out their Committee for Accounts who are now Sitting with their said Appointed Clerk at the house of Thomas Beale in Order to Dispatch the Business of their Charge, If the honourable the Upper house please to Join any Members of theirs with them, they are ready to Attend them

Signed p^r Order of the Lower house William Dent Cl.

D^r Brookes from the Lower house with Additional Act about Ordinaries and Ordinary keepers.

The same read the second and third time and Assented to p. 577 by this house and sent to the Lower house by Mr Clement Hill who returns having Delivered the Same.

Mr John Stone from the Lower house with this Message following

Lower house 30th November 1688.

Upon Consideration had of the ruinous and decaying Condition of the State house which has Occasioned so great a Charge to this Province In Order therefore to prevent the utter ruin and decay thereof by repairing it and the Prison also this house propose to appoint some members of this house as a Committee to project the way and Methods to repair the Same and desire to know if the Upper house will please to Join a Member of theirs with them.

Signed p^r Order of the Lower house William Dent Cl.

Upper house of Assembly 30th November 1688.

This house are Surprized to receive a Message from the Lower house mentioning so much as the word (Misunderstandings) Especially in a time when this house had thereof not so much as a thought and cannot but Admire to see such

Lib. W. H. Groundless heats insisted on there being a great Difference between the Committees which the Lower house do send forth Consisting only of their own Members in which the Lower house may undoubtedly appoint such Clerks as they please, And those which Consist of Members of both houses for in this Case the Chairman of such Committees has always Appointed a Clerk and accordingly in this Committee of Accounts the honourable Coll William Digges was by the Committee themselves Chosen Chairman and John Boye appointed and Accepted by the s^d Committee to be their Clerk and accordingly they did proceed to the Business of that Committee for proof whereof this house refers themselves to the Journal of the said Committee, wherefore this house do not Conceive wherein the least Priviledge of the Lower house is Infringed. It being the Lord Proprietaries Prerogative to appoint Clerks; Even the present Clerk of the Lower house is by his Lordships Commission appointed Cl. of the Lower house, And further this house cannot but take Notice of the Impracticable Method in Removing the Committee from the place where they were agreed to Sitt, without the Consent of their Chairman in whom it is to Adjourn the Committee both to time and place as he shall think fit not Contrary to the Order and appointment of both houses.

Signed p^r Order Tho: Grunwin Cl of Assembly.

The aforesaid Message sent by Coll Tailler and Coll Digges who return and say they have delivered the same.

Upper house of Assembly 30th Novem^r 1688.

This house do Concurr with the Lower house in their Message of this Day by M^r John Stone Relating to the Reparation of the State house and Prison and accordingly do appoint the honourable Coll Pye one of the Members of this house to Join with such Members of the Lower house as they shall think fitt to Consider of and Report the same to both houses.

Signed per Order Thomas Grunwin Cl of Assembly.

This Message sent by Coll Pye who returns & Says he has delivered it

Upper house of Assembly 30th November 1688.

This house have Concurred with the Lower house in their request of this Day by D^r Brookes M^r Stone and M^r Hawkins relating to the Proposals made by the honourable the President for the bringing in of Money into this Province and accordingly have with the Lower house requested the honourable the President, That he would please to Commit to writing

the reasons of this house to enforce the bringing in of Money, Lib. W. H.
as aforesaid into this Province who for Answer says that he is
very ready to Comply with the said request of both houses
and accordingly he will Committ the same to writing but is
not sure to Compleat the same during this Session of Assembly
But assures both houses by Gods Blessing that he will finish
the Same so soon as possible he can and will deliver an Original
thereof to be Transcribed into as many Copies as will
Suffice to every Member of both houses one, they Considering
the Clerk for such his pains to which this house do Concurr
and desire therein the Concurrence of the Lower house.

Signed p^r Order Tho: Grunwin Cl of the Lower house.

Sent to the Lower house by Coll Pye he returns and says
he has D^d the same

D^r Brookes and M^r Dare from the Lower house with the
fol: Message

Lower house 30th November 1688.

In Answer to the last Message by the honourable Coll
Tailler & Coll Digges this house desire the Upper house to
peruse again their Message and it will appear that they do
not mention any Misunderstanding between the two houses
but between the Members of the Upper and Lower houses
and this house kindly resent the fair proceedings and Answer
of the Upper house in giving this house the Priviledges that
is undoubtedly their right (to witt) that of Electing Committee
Clerks and assure the Upper house the said Cullen was
appointed by this house for that Committee and is the most
Capable to Serve in that place as he hath done the Two pro-
ceeding Assemblies, neither were the Members of the said
Committee (as they Avert to this house) against the said
Boyes Officiating there had his Skill therein answered their
reasonable Expectation Therefore since his Incapacity would
retard the Business of this Assembly and the other further it
as well by his Clerkship as Experience in the said Office
They cannot think it reasonable to deprive him, but were will-
ing to allow the other Twelve hundred pounds of Tobacco for
his Attendance hitherto

Signed p^r Order William Dent Cl of the Lower house.

This house Adjourned till to Morrow Morning 8 a Clock.

Lib. W. H. The first Day of Decem^r 1688 The Upper house sat again

Present

The honourable	{	William Joseph Esq ^r	{	Coll Edward Pye	}
		Coll Thomas Tailler		Clement Hill Esq ^r	
		Coll Henry Darnall		Major Nicholas Sewall	
		Coll William Digges			

Upper house of Assembly 1 December 1688.

The Lower house by their Message last night by M^r Brooke and M^r Dare desire this house to peruse again their Message
 p. 579 and this house desire the Lower house to peruse again their Message about the words Misunderstandings and Priviledges, this house did not then say there was Differance there between both houses, as to their grief they find there now is, and this house denys that they did by their Message Assert it to be the Right of the Lower house to appoint Clerks of any Committees, of their own Committees we Grant, But this Committee is none of their own but a Committee of both houses Consisting of Members as well of Ours as their house ; This Committee meets Choose their Chairman and accordingly their Clerk and approve the same by Entring upon the Business of that Committee, and as it was a Committee of both houses, that is, of Members of both houses with their Chairman and Clerk who are as Speaker and Clerk of either house ; It is illegall and Imparliamentary for any part of the Members of that Committee to seperate themselves without their Chairman or being by him Adjourned or assume to sitt and appoint a Clerk as the Members of the Lower house in that Committee have done, and this house do hereby protest against the said proceedings and Sitting of any Members as a Committee of Accounts who are not such and Declare the same to be unlawfully Assembled and their reputed Clerk is hereby Declared no Clerk of any Lawfully Committee of accounts If the Clerk Boye were not Capacitated it was the Committees Business to lay him by and choose another and if they could not agree it ought to have been Reported to both houses But this is not the case they illegally and Abruptly break up without being Adjourned by their Chairman and go and Sitt and choose a Clerk of their own without their Chairman or any Member of this house being present Contrary to the known right and Proceedings of Parliaments, And this house desire the Lower house to Concurr and join with this house in the Rectifying this and the like abuses and desire that a good understanding between both houses may be preserved whereby we may proceed upon the Business of the Country and not Impede the same to the vast Charge of the Country as by these Differences we are like to do

Signed p^r Order Tho: Grunwin Cl of Assembly.

Coll Pye goes with the same to the Lower house Returns Lib. W. H. having Delivered it

Coll Jowles, M^r Harris, M^r Stone, M^r Lingan, M^r Dare M^r Hawkins and D^r Brooke from the Lower house with the Anniversary Act for the Birth of the Prince

The same read again and Assented to by this house and sent to the Lower house by their honours Coll Tailler and Coll Digges Major Sewall and M^r Clement Hill

Coll Jowles M^r Lingan M^r Thurston M^r Harris and M^r Hawkins with this Message

Lower house 1 December 1688

This house have read and Considered of the last Message of the Upper house by the honourable Coll Pye and say as in their former Message that they did not apprehend any Misunderstanding between the two houses as it seems by the last Message of the Upper house have Therefore this house to clear themselves of the Occasion thereof and to give all reasonable Satisfaction that possibly they can do Say—

1st They do not deny but the Committee of Accounts have power to choose their Clerke If not before appointed by this house which they conceive is a branch of their priviledges to do Especially in that of Accounts and hath always been done hitherto and never refused or Objected against till now.

2^{dly} The members of this house in Committee did Averr the said Boye was not as they Conceived Sufficiently Capacitated for that Office and thereby would retard their Business. Neither did they ever Vote him Clerk or as such accept of him nor ever understood that their Chairman did Elect him by Vote as he was their Chairman But only insisted upon his being Clerk as he was appointed by the Upper house which this house do well hope they did not ever intend

3^{dly} The said Members of the Committee do possitively averr that they did not Abruptly break up nor come away till the members of the Upper house declared to them they would not proceed with any other Clerk then that because he was appointed so by the upper house which was not only against the Priviledges of this house but their own also

4^{thly} When they had received this Answer they repaired again to this house and then this house appointed a Committee of Accounts anew and so Signified to the Upper house and that they were Ordered to proceed upon their Charge which this house protest to be Lawfull, But if the honourable Deputy Governors do protest as the Upper house have protested against the proceedings of this house in their said Committee they shall not further proceed, But this house

Lib. W. H. doubt not but their honours will have a right understanding of this house's honest and hearty proceedings. This house are very willing and do Concurr with the honourable Upper house to Rectifie these Misunderstandings and therefore do propose that the Members of both houses may again meet and Join in Committee to Elect any Clerk as they shall think fitt and most proper for their Service ; If not this house will proceed to Adjusting the publick Accounts, prepare a Bill and present it for the honourable the Upper house's Concurrence

Signed p^r Order of the Lower house William Dent Cl.

Upper house of Assembly 1 December 1688.

In Answer to the last Message by Coll Jowles, M^r Ligan, M^r Thurston M^r Harris and M^r Hawkins this house say to the

1st Article of the said Message, That the Lower house have no power to appoint a Clerk to any Committee of both houses Especially before any such Committee was & this house denys that it always has been done hitherto or at any time heretofore and to the

2. Article say that what the Members of the Lower house who were of the Committee of Accounts do averr this house know not but this house is sure that it will appear by the Journall of that Committee that the said Committee did proceed by having appointed their Chairman and Clerk and did accept of the said Bouye as Clerk without any Contradiction in the least, for Justification whereof this house do referr themselves to the Journall of the said Committee and further to this Article this house deny that ever they Appointed the said Bouye or any other Clerk of that Committee, But in favour of right this house say the said Bouye was legally Admitted and being Admitted he accordingly ought to be Continued till Legally laid aside and to the

3^d Article this house say that they are Assured by their Members of the said Committee that the Members of the Lower house did abruptly break and Seperate themselves from their said Committee without the Consent or Adjourn-
p. 581 ment of their Chairman and to the

4th Article this house say that they deny it to be Lawfull for the Lower house to alter and change the Committee of Accounts anew after the said Committee had been appointed by Authority of both houses without the Joint Consent of both houses and further this house do say That they are ready to detest all Misunderstanding between both houses but think it not fitt this house should be thus Imposed upon, wherefore this house are ready to send forth their Members to Join with the Members of the Lower house in Order to Adjust the Publick Accounts according to the Methods appointed by both houses and already Proceeded upon by the said Committee

And Lastly this house are not willing to believe that the Lib. W. H.
Lower house will proceed to Adjust the publick Accounts
without the Consent of this house If they do this house do
hereby protest against such their Proceedings as Illegall there
having been a Committee of both houses for that purpose for
that it is the right of this house to take care that the good
People of this Province be not Burthened with unjust and
unreasonable Acco^{ts}

Signed p^r Order Tho: Grunwin Cl of Assembly

Adjourned till Monday Morning 8 a Clock

The third Day of December 1688.

The Upper house Sat again

Present

The honourable	{	William Joseph Esq ^r	{	Major Nicholas Sewall
		Coll Henry Darnall		Coll Thomas Tailler
		Coll Edward Pye		Coll William Digges
		Clement Hill Esq ^r		

M^r Robotham, Captain Pile and M^r Round with a Message
& M^r Robotham says the Members of the Lower house for
the Committee of Accounts are ready to join with the Mem-
bers of this house.

The Message

Lower house of Assembly 3^d December 1688.

Out of a due Sense of the great charge this Assembly daily
stands the Province in and the desire this house hath to dis-
patch the Emergent Affairs now before them they are willing
to wave all Contests about so small a matter as the Occasion
of Saturdays Messages and the rather because they conceive
the same was Occasioned for want of the Upper house having
a due Information of the reasons that this house Objected
against the Committees then Clerk Boye and that was only
for his Incapacity which certainly would have retarded the
Business of the same and therefore this house desire the
Upper house to Concurr with them in leaving the Choice of
a fit Clerk to the Chairman and Members of the said Com-
mittee

Signed p^r Order of the lower house William Dent Cl

Upper house of Assembly 3^d December 1688.

This house do wish the great charge this Assembly has and
doth put the Country to had been more early Considered,
And therefore this house do (as they always did) abhorr the

Lib. W. H. very thoughts of Division, and as by both houses a Committee of Accounts have been Appointed and the said Committee did accordingly meet and Enter upon their Business by naming their Chairman and Appointing their Clerk and that
 p. 582 without any Contradiction or opposition they Entered upon the Business of that Committee as by the Journall of that Committee it doth and may appear and this house do approve and Confirm the proceedings of the said Committee and in favour of right do stand by and Justifie the same and accordingly this house have sent forth their Members to Join with those of the Lower house in order to proceed upon the Business of that Committee as already they have begun

Signed *p^r* Order Thomas Grunwin Cl of Assembly.

Upper house of Assembly 3^d December 1688.

According to the Message from the Lower house by D^r Brooke of the 30th of November last and the Answer of this house of same date Relating to the Repairing of the State house & prison, This house do acquaint the Lower house that their Members fixed upon for that purpose is now ready to Join with those of the Lower house in order to proceed upon so great and general a Concerne

Signed *p^r* Order Tho: Grunwin Cl of Assembly.

Major Sewall goes with the aforesaid Message he returns having Delivered it

Captain Hill from the Lower house and says that the Lower house have appointed two of their Members to Consult about the repaires of the State house and they were ready at M^r Vansweringens

Coll Pye goes out to Join with them

Upper house of Assembly 3^d December 1688.

This house by Message of the 27th November last for preventing the Excessive Charge of Assemblies and Abuses of Ordinary Keepers did desire to Join a Member of theirs with some of the Lower house to Consult and Contrive some way for the Easing the People in that Particular, To which the Lower house by their Message of the same date by Coll Jowles and M^r Lingan did Concurr and now this house do Nominate the honourable Coll Thomas Tailer for that purpose who is now ready when the Lower house shall give Notice that theirs are also ready.

Signed *p^r* Order Tho: Grunwin Cl of Assembly.

Sent by the honourable Major Sewall who returns and says he delivered the same

M^r Thurston and M^r Stone from the Lower house with this Lib. W. H. Message Viz^t

Lower house 3^d December 1688.

In answer to the last Message by the honourable Major Sewall this house say that Several of their Members being now Employed in Committees they cannot send forth any more till some of them come in when they do will appoint Some to Join with the honourable Coll Tailler to Consult of the Proposals of the Upper house as is desired

Signed p^r Order of the Lower house William Dent Cl.

The Petition of Charles Lane for a Pension being Lame read and sent to the Lower house with this Endorsement

Upper house 3^d December 1688

This house have read this Petition and do think the Petitioner a great Object of Charity and do Recommend the said Petition and the Condition of the Petitioner to the Consideration of the Lower house.

Signed p^r Order Thomas Grunwin Cl of Assembly.

A Letter from Coll Sayer and a Petition of Charles p. 583 Devonish Craving Allowance for being prest to attend M^r Plowman to Newcastle being an Officer sent by the King to New York the Petition thus Endorsed and Sent to the Lower house

This house have read this Petition and the Letter Annexed and are Sensible that the Business in which the Persons were Employed was the Kings Business and was done for his imediate Service and therefore this house referr the Consideration thereof to the Lower house

Signed p^r Order Thomas Grunwin Cl of Assembly.

This and Charles Lanes Petition sent by Major Sewall who returns having Delivered the Same.

The house Adjourns till to Morrow Morning 8 a Clock.

The 4th of December 1688 The Upper house Satt again

Present

The honourable { William Joseph Esq^r } Major Nicholas Sewall }
 { Coll Henry Darnall } Clement Hill Esq^r }

The Bill for preservation of Orphans reall Estates read the second time and sent to the Lower house by Major Sewall with this Message Viz^t

Lib. W. H.

Upper house 4th December 1688.

This house do send to the Lower house the Act for preservation of Orphans reall Estates the same is approved of in this house and this house will assent thereto when the same is fairly Engrossed.

Signed p^r Order Thomas Grunwin Cl of Assembly.

He returns and says he has delivered the Same.

The house Adjourned for half an hour

The house sat again present as before

M^r Jones from the Lower house and brings this Message.

Lower house 4th December 1688.

This house have appointed Members to Argue their Aggrievances and pitch upon to Morrow two a Clock in the afternoon for the same, If the honourable Deputy Governors will be then ready to hear them.

Signed p^r Order of the Lower house William Dent Cl.

M^r Dare from the Lower house with this Message.

Lower house 4th December 1688.

The Members of this house yesterday appointed to Join with the honourable Coll Pye to Consult of Reparations have attended this Day at the place last night agreed on But his honour doth not Come to them.

This house desire to know the reason thereof and if the said Coll Pye be not in that house whether the Upper house will Join any other Member with them to proceed to finishing their Charge

Signed p^r Order of the Lower house William Dent Cl.

M^r Jones from the Lower house with the Act about a Town in Wiccocomoco River

M^r Clement Hill goes to the Lower house with this Message.

Upper house of Assembly 4 December 1688.

As to the Message by M^r Dare touching the Repairs of the
 p. 584 State house &c. This house do inform the Lower house that yesterday in the Evening Express came to the honourable Coll Pye Informing that his Lady was on the Point of Death which caused him to take horse and went away the last night, But this house do desire that the Gentlemen of the Lower house appointed in that Concern would go forward as if Coll Pye was with them and that the Lower house will Communicate the same to this house when Settled and drawn up.

Signed p^r Order Thomas Grunwin Cl of Assembly.

M Hill returns having Delivered it

Upper house 4th December 1688.

Lib. W. H.

Herewith is sent the Bill for Bettering the Trade of Tobacco which was read in this house and this house being of Opinion the said Bill will not Answer the end Intended the Same was Rejected and laid aside

Signed p^r Order Tho: Grunwin Cl of Assembly.

Upper house of Assembly 4th December 1688.

Whereas this house by their Message of the 3^d Instant did nominate the Honourable Coll Tailler to be of a Committee with Some Members of the Lower house for Considering the Abuses and Regulating the Charge of future Assemblies, But the honourable Coll Tailler being called away upon some Emergent Occasions: This house do therefore appoint the honourable Clement Hill Esq^r in the place and Room of the said Coll Tailler who is ready upon Notice to Join with the Members of the Lower house to be appointed on that affair.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Upper house of Assembly 4th December 1688.

This house have read the Bill for a Town to be appointed as sett forth And this house are ready to assent to the Same; But desire that for the Conveniency of Landing to the People of these parts of S^t Maries County there be also appointed a Town on the South side of Patuxent River between Abingtons Creek & Joseph Edlows in such Convenient Place as the Commissioners Appointed for Towns shall think fitt, And that One Bill may Serve for both said Towns, This Town to be known by the name of S^t Josephs.

Signed p^r Order Tho: Grunwin Cl of Assembly.

The honourable Major Sewall goes with the last three Messages

Captain Coode and Cap^t Hill from the Lower house & bring this Message

Lower house 4th December 1688.

Upon Consideration of the Report of the Committee of Reparations.

It is Voted and resolved that the Proceeding and Agreement made by the Committee with the Workmen are good and Beneficial and this house agree therewith

Upper house 4th December 1688.

This house desire the Lower house to send to this house the Proclamation about Towns and the privy Councils Letter about Bulk Tobacco as also this house desire the Lower house

Lib. W. H. to dispatch such Bills or other matters as they have before them particularly a Bill of Revivall for Security of Our Temporall Laws for that the Deputy Governours do appoint to
 p. 585 morrow Two a Clock in the afternoon to hear the Matter about Greivances and have Signified to this house as by this Message they also do the Lower house That Thursday be the last Day of this present Session of Assembly

Signed p^r Order Thomas Grunwin Cl of Assembly.

The same sent by Major Sewall who returns having delivered it.

D^r Brooke brings the Proclamation about Towns & the Kings Letter about Bulk Tobacco

The Lower house Answer about Bulk Tobacco

Lower house of Assembly 28th November 1688.

May it please your honours having received from your honours in the Upper house of Assembly a Letter which was from the Lords of his Majesties most honourable privy Council to the right honourable the Lord Proprietary of this Province dated from the Council Chamber at Whitehall the fourth Day of November 1687 whereby his Majestys Royal pleasure is Signified, That his said Lordship in Conjunction with the Governor and Councill of his Majestys Colony and Dominion of Virginia take care a Law be passed in the Respective Assemblies of Virginia and Maryland against the Exportation of Bulk Tobacco from these Plantations Together with a Message from your honours thereunto relating

This house in Answer to the same with all Loyalty to the Kings most Excellent Majesty Duty to his Lordship the Lord Proprietary respects and due Regard to his Majestys Subjects here and else where in his Majesties Dominions, Do say that the Prohibition of the Exportation of Bulk Tobacco would in the first place prove very Prejudiciall to his Majestys Interest and his Royall Revenue and Income if that (most part if not all) the Bulk Tobacco that is Exported out of Virginia and Maryland for the Kingdom of England is there sold and Consequently pays the full Duty of five pence a pound to his Majesty Whereas otherwise if in Cask a great part of the said Tobacco is usually Exported into Holland and Elsewhere and pays but one half penny per pound Custom, That the Tobacco of that Quality which is more fitt for Bulk and altogether unfitt for Cask to be therein Exported again out of England would by that Meanes be Lessened in that a great if not most part of the same would be left behind in this Countrey and his Majesty by that means prevented of having any Duty att all for the Same.

2^d To Prohibit the Exportation of Bulk Tobacco is highly Lib. W. H.
Disadvantagious and Prejudicial to his Lordship the Lord
Proprietary of this Province for that since the said prohibition
will Occasion a farr lesser Quantity of Tobacco to be Exported
as aforesaid his Lordship will by that means be a great looser
not only in the Revenue of two Shill: per hhd due by Act of
Assembly but also in the Imposition of 14^d p^r Ton due as
afores^d

3^{dly} To Prohibit the Exportation of Bulk Tobacco is Inju-
rious and Ruinous to his Majestys Subjects in this Province in
Virginia and in his Majesties more Immediate Dominions at
home; In this Province it would hinder and Deprive the good
People of the Sale of all their Tobacco Except such as is
Extraordinary bright & Dry Tobacco fitt for the London Mer-
chants who buy it with intent to Transport the Same for Hol-
land, and break off the Trade of those Small Ships that come
from the West and North Countrys who bring in great Quan-
titys of Severall Serviceable Goods & Supply this Province
therewith, And not only so but with those Goods at better
prices Purchase their Dark Tobacco which is that, that's Gen-
erally Bulkt, And is such that the Londoners will not buy nor p. 586
carry out, And so all that Tobacco which is not very bright
and dry of which the greatest part Consist would lye and rott
upon the Owners hands and they thereby perish for want of
such of those Goods these small West and North Country
Ships bring.

And it would be prejudiciall to his Majesties Subjects of
those West and North parts of England by breaking off their
Trade to those places whereby their Ships and Men are
Employed, their Commoditys Vended and themselves Sup-
plied plentifully with Tobaccos all which would certainly follow
such a Prohibition.

The Premisses being had into due Consideration of this
house it is Nemine Contradicente Resolved in this house that
such a Prohibition would tend very much to the prejudice of
his Majesty and his Lordship and Injurious to the good People
of this Province who they Represent for the reasons aforesaid
and therefore this house cannot proceed to drawing the same

Signed p^r Order of the Lower house William Dent Cl.

Petition of the last Grand Jury read for further Allowance
the same sent to the Lower house thus Endorsed

Upper house 4th Nov^r 1688.

Upon reading and Considering the above writing This
house are of opinion that the present Allowances are too

Lib. W. H. small and that there ought to be further & Larger Allowances
for the future

Signed p^r Order Tho: Grunwin Cl of Assembly.

The house Adjourned till to morrow Morning 8 a Clock

The 5th Day of Decemb^r 1688 the house sat again.

Present

{ M^r Joseph
Coll Darnall
M^r Clem^t Hill }

D^r Brooke from the Lower house & brings the Act for
securing the reall Estates of Orphans.

The same read after Engrossed and Assented to by this
house.

M^r Harris from the Lower house and brings the Petition
for a Town at Langfords Bay the same read and sent to the
Lower house thus under writt

Upper house 5th December 1688.

This house do appoint that there be a Town at Point
Cackaway as prayed

Signed p^r Order Thomas Grunwin Cl of Assembly.

M^r Thurston from the Lower house and brings this Message.

Lower house 5th December 1688.

The Committee for Reparations &^c make Report to this
house that they having last night made a firm Bargain with
Richard Benton and Joseph Freeman for doing the same and
they Promising to bring Security this morning for their per-
formance do now deny and refuse to perform the said Bargain,
whereby this house Conceive themselves Imposed upon and
abused by the said Workmen and desire the Opinion of the
Upper house in the premisses &c.

Signed p^r Order of the Lower house William Dent Cl.

p. 587 Petition for a Town in Chester at Glevens Point read and
sent to the Lower house under writt thus.

Upper house 5th December 1688.

The Consideration of this Petition referred to the Lower
house.

Signed p^r Order Thomas Grunwin Cl of Assembly.

Mr Lynes Account about the Charge and Expence of keep-^{Lib. W. H.}
ing Prisoners read and Sent down to the Lower house thus
Endorsed.

Upper house 5th December 1688.

This house do wholly reject this Account save only what
therein Concerns the Indians for all the Prisoners were Obligated
to pay their own fees.

Signed per Order Thomas Grunwin Cl of Assembly.

John Pollards Petition read and rejected

Upper house 5th December 1688.

As to the Contract made with the Workmen and their
refuseing to perform the Same this house can only say that
they referr the whole matter to the Consideration of the Lower
house desiring them to take their own Measures in the
Premisses.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Upper house 5th December 1688.

This house think it very Convenient for the Province in
General that there be a Publick Ferry at Patuxent at the same
place it formerly was and desire the Lower house would Con-
curr with them for that Purpose.

Signed p^r Order Tho^s Grunwin Cl of Assembly.

The said two Messages Mr Lynes Account Pollards Petition
and Account, the Act for Orphans Estates, Petition for a Town
at Glevens Point, another at Cackaway all Sent by Mr Clement
Hill to the Lower house he returns having delivered the Same
The house Adjourns till to Morrow Morning 8 a Clock.

The 6th Day of December 1688

The house sat again

Present

{ William Joseph Esq^r }
{ Coll Henry Darnall }
{ Clement Hill Esq^r }

Mr Jones and Mr Stone from the Lower house and bring
the Petition about Vanhecks Daughter.

The Petition of Best and Gideon Gambell for Allowance of
an Account for being Witness against Sperton

William Gwythers Petition for Attendance and Expences
23 Days—The Petition of William Peirce Sheriff of Cecil
County for Allowance for loosing his Vessel last Provincial

Lib. W. H. Court. The Petition of Captain Joshua Doyne Concerning the Prisoners. An Act for laying the Hundred of S^t Maries into the City of S^t Maries. An Act to Enable Richard Bishop to sell Land.

Mr Jones and Mr Hawkins from the Lower house with a Bill for Erecting Some new Necessary Towns.

p. 588 The said Act read and Assented to by this house

The honourable Coll Digges brings into this house the Journall of Acco^{ts} past in the Committee and it being found in peruseing the same that is said (they have appointed a new Clerk of Accounts) when the Minutes of the former Cl of Accounts says not so But (that the New Clerk was Chosen by the Chairman) whereupon William Tayllard the last Clerk was sent for, and coming Confest it was his fault, and in truth he did not so well mind the Minutes of the former Clerk

William Taylard goes out and returns and says he has Consent of the Committee of Accounts and Severall of the Lower house to Amend the aforesaid Error and therefore humbly prays he may Amend the same which was done accordingly, in this house with his own hand.

Mr Jones from the Lower house and brings this Message.

Lower house 6th December 1688.

In Pursuance of the Message and Votes of both houses to Consult of some meanes to prevent the Abuses of Ordinary keepers in future Assemblies, This house have appointed Captain John Coode and Captain Hill to Join with the honourable Clement Hill and are now out upon their charge.

Signed p^r Order of the Lower house W^m Dent Cl.

Mr Clement Hill goes to the Committee accordingly.
The house Adjourned till to Morrow Morning 8 a Clock.

The Upper house mett again the 7th of December 1688.

Present

The honourable	{	Mr William Joseph	}	Major Nicholas Sewall	}
		Coll Henry Darnall		Mr Clement Hill	
		Coll William Digges			

Mr Hawkins from the Lower house and brings the Bill for Reviving the Temporary Laws.

Mr Thurston from the Lower house & brings the Reviving Act of last Assembly

Dr Brookes from the Lower house and desires to know when this house of Assembly are willing to hear the Greivances The President answered that the Deputy Governors are always ready to hear the Greivances of the Country.

Major Sewall goes to the Lower house and carries the Act Lib. W. H. for Assenting to New Towns.

The Speaker and several of the Members of the Lower house Enter this house about the matter of Greivances

1st About Alienations; Therein it was agreed that the Government receive Alienations according to Law and those that refuse it when so tendered to be lyable to be punished.

2^{dly} Recording Proceedings Agreed that an Act be made to Explain the Law in that case or that the Assembly should Interpret the Law.

3^{dly} About Naval Officers, The Government will write to his Lordship That he would appoint proper Officers, That the People be not all put to come to S^t Maries or Patuxent to Enter and Clear.

4^{thly} Concerning the Proclamation about Towns, The Lord p. 589 Proprietary does not intend to disanull the Law but only to dispense with the present Performance of some part of it.

5^{thly} About Summoning Persons by Attorney Generall; Agreed that none ought to be Imprisoned or taken into Custody without shewing the Cause. If the Attorney Generall has done any thing Contrary to Law the Laws gives Remedy against him

6^{thly} About pressing Victualls and Provisions, The Government does not Encourage or Countenance any such illegall proceedings and upon Conviction shall punish the Offender

7^{thly} About Provinciall Court at the request of the Lower house the Deputy Governors Consent that the Provincial Court be put of to the last Tuesday in March next.

Lastly About the 3^d p^r hhd. If the Clerks receives 3^d p^r hhd without Complying with their Duty according to Law they are lyable to Suffer

The Argument about Greivances being Ended the Speaker and Lower house Depart.

M^r Clement Hill goes upon the Committee for Regulating Expences of Assemblies

D^r Brookes brings the Act for Repairing the State house and desires the report of the Committee of Accounts

M^r John Stone and brings a Petition of M^r Lynes about Port Duties

M^r Hawkins comes to this house for the Book of Laws the same sent by him

Major Sewall goes to the Lower house with the Law about several new Towns and the Reviving Act with this Message

Upper house 7th December 1688.

This house are ready to Assent to the Act of revivall when the last sheet thereof shall be fairly Engrossed and this house

Lib. W. H. desire the Law Prohibiting the Exportation of Wooll and old Iron may be renewed.

Signed p^r Order Tho: Grunwin Cl of Assembly.

Mr Dare come for Mr Bishops Bill for Selling Land, and was answered that it shall be sent.

Mr Clement Hill goes to the Lower house with the Report of the Committee for Regulating Expences of future Assemblys, he comes back and says he has Delivered it

Major Sewall goes with the Report of the Committee of Accounts and this houses Exceptions against the same and to tell them this house designed to sitt long to night. he returns.

Exceptions to the Accounts Reported by the Committee of Accounts brought to this house the 6th of December 1688.

1st To the Article of 2000^{lb} Tobacco to Christopher Nutter who was Interpreter in that General and National affair of the Indians and the Services he has done the Publick therein; This house are Sensible that the said 2000^{lb} of Tobacco will not Reimburse the said Nutter the one Moiety of the Expence and Charge the said Nutter has been at if no Consideration were Allowed for his Service and loss of time Wherefore this house are of Opinion that the said Nutter ought in honour and Conscience to be Allowed at least 9000^{lb} of Tobacco.

p. 590 2^d To the Article of 1932^{lb} of Tobacco to the Account of Coll Thomas Tailler for Goods delivered to Indians this house know not by what Order or upon what or whose Account the said Goods were delivered and therefore cannot allow the said Article till Satisfied therein.

3^d To the Article of 1625^{lb} of Tobacco allowed to several persons fol 2 & 3 This house do Conceive the Same to be Erronious for that the said 1625^{lb} ought to be 1805^{lb} so that there is Mistaken 180^{lb} Tob: more to be Added to the said Account.

4th To the Article 2500^{lb} Tobacco for Mr Anthony Underwood this house do not think fitt to charge the Publick with the private Expence that any Member of Assembly is at his own house the same being no Publick house to the Burthen of the Country and Discouragement of Publick Ordinaries whose Livelyhood depend thereon, and if Allowed the honourable Coll Digges and others have the same right & therefore by no means think it reasonable to Allow the same

6 To the Article of 2000^{lb} of Tobacco Allowed to Thomas Deakins Door keeper and Drummer to the Assembly and Provinciall Courts this house Conceive the same to be too little Considering his Constant Attendance for Twelve Months time Especially when they Consider that 1600^{lb} Tobacco is

allowed to Anthony Evans, beside a Charge of 1200^{lb} to Lib. W. H. Richard Edelen also a Door keeper which is 2800^{lb} Tob: for Serving this Assembly only Whereas the said Deakins has Served the publick at least Twelve Months as aforesaid

7th To the Article of 5400^{lb} of Tobacco allowed to Thomas Beale In Consideration of the Lower house and Committees Sitting at his house and in his Rooms, This house are of Opinion that the same is so farr from being a hindrance to the said Beale that it was of great Advantage to him, and therefore can by no means approve of the said Charge It being unreasonable to pay the Expence done in his house & pay the rent for his house too

The Lower house Amendments of the Committee of Accounts and this house's Answer thereunto sent to the Lower house by M^r Clement Hill which both next hereafter follow Viz^t

Lower house 6 Decemb. 1688.

This house have read and Considered of the Report of the Committee for stating the publick Accounts of this Province and do well approve of their Allowances and proceedings therein with these Additions and Amendments

1st That they enquire for what reason the Article of Allowance to M^{rs} Baker for Peter Dermote was made because this house cannot understand of any nor can the Members of that Committee inform them.

2^d That the Allowance to Joshua Doyne Gent is over much he having been at no charge in attending nor taken any pains, Therefore this house Vote him an Allowance of 5000^{lb} of Tobacco for such his attendance and no more

3 That M^r Turling having preached three Sermons to this Assembly be allowed two thousand pounds of Tobacco and M^r John Mathews having preached one Sermon be Allowed one thousand pounds of Tobacco this being referred by the Committee to both houses.

4 That M^r Underwood be allowed 2500^{lb} Tobacco for Entertainment of the Honourable Coll Tailer at his house this Assembly This being referred by the Committee to both houses

5 And in regard that the several Ordinary keepers hath been forced to purchase their Liquors and Provisions for Entertainment of this Assembly with Money or Tobacco at Extraordinary dear rates, and the said Committee having Allowed them only according to the Rates settled by Act of Assembly which is too small Therefore this house have Voted them the Sum of 20 p^r C^t for what Tobacco they are already allowed over and above their said Allowance.

Lib. W. H. 6 That John Bouye having been Cl of the Committee appointed for Reparations be Allowed over and above what the Committee hath Allowed him 800^{lb} of Tobacco

7th. That the Clerk of this house being Employed by this house upon some Speciall Occasion more than doth belong to the Duty of his Place particularly to write out a fair Journall of the first weeks proceedings of this Assembly and deliver to the Speaker of this house be Allowed for the same One thousand pounds of Tobacco more than what the Committee have Allowed him

To all which the Concurrence of the Upper house is required that the Bill for Assesment of the Publick charge may be drawn up.

Signed p^r Order of the Lower house William Dent Clk.

Upper house Assembly 7 December 1688.

In answer to the Message of yesterday from the Lower house of 7 Articles relating to the Report from the Committee of Accounts And to the

1 This house say they have enquired of their Members of that Committee concerning the Allowance to M^{rs} Baker and are Satisfied the same is Just. And to the

2 Concerning the Allowance made to Joshua Doyne Gent this house do Concurr with the Lower house in Allowing but 5000^{lb} Tobacco to the said Joshua Doyne for his Attendance And to the

3 This house do consent to Allow M^r Turling 2000^{lb} of Tobacco as they also Concurr to Allow 1000^{lb} of Tobacco to M^r Matthews, But this House desire that 1000^{lb} of Tobacco may also be Allowed to M^r Pennington who did not only Preach to, but pray for the Assembly in General so that the Allowance both to M^r Pennington and M^r Mathews is to them two no more than to M^r Turling alone

4 And to the fourth This house doth not think it reasonable to Charge the Publick with any Charge for Entertainment at houses who do not keep Publick Ordinarys and therefore cannot Allow the Same

5 And to the 5th This house do not think fitt to Allow any Ordinary keeper more than what the Law directs

6 And to the 6th This house do Concurr to Allow the said Clerk Bouye as the Lower house have Agreed it.

7. To the 7th This house do Concurr with this Provisoe that the same be allowed to the Clerk of the Upper house who takes the same Pains.

To all which this house desire the Concurrence of the Lower house.

Signed p^r Order Thomas Grunwin Cl of Assembly.

Mr Hawkins with this Message about Allowance for Lib. W. H. Expences.

Lower house December the 7th 1688.

p. 592

This house do still say as in the former Message that the matter Contained in the Bill Regulating future Assemblies requires more Consideration than can be now Afforded, and therefore do Recommend the same to the Consideration of the next Assembly and in the mean time desire the same may rest as p^r Vote of both houses

Signed p^r Order of the Lower house William Dent Clk.

William Gwythers Petition read and Rejected

Captain Peirce's Petition read and Rejected

The Petition of Best and Gambell read and Rejected

Mr Doynes Petition about the Charge of Prisoners read and referred to the Consideration of the next Assembly.

Sarah Vanhecks Petition read being in way of Complaint that the said Sarah was a Protestant and now brought up amongst Catholicks and sent to the Lower house with this Endorsment.

Upper house 7th December 1688.

This house desire that those person or persons that in the Name or on the Behalf of the said Sarah would Appear in this house that this house may the better be Satisfied in the Premisses.

Signed p^r Order Tho: Grunwin Cl of Assembly

Mr Dare for the Bill relating to the Reparations, and Bishops Bill & brings this Message Viz^t

Lower house 7th December 1688

This house do Concurr to Rectifie and fair Transcribe the Reviving Bill and will send the Same to the honourable Upper house

Signed p^r Order of the Lower house William Dent Cl.

Mr Stone with the Bill against Exportation of Wooll and old Iron, and to know if the Upper house have further to Night, The President says they will send presently.

The Bill against Exportation of Wooll and old Iron read and assented unto by this house.

Bishops Bill sent to the Lower house not assented to

Joshua Doynes Petition Sent

The Bill for Reparation of the State house Assented Sent also all the above Matters sent by Major Sewall, and to tell the Lower house this house are willing presently to Conferr

Lib. W. H. with the Lower house about Allowances. He returns and says severall of the Members of the Lower house are indisposed and they stay only for that Message and so would Adjourn.

M^r Jones from the Lower house and says the Lower house will Conferr with this house to Morrow Morning

This house Adjourns till to Morrow Morning 8 of the Clock.

The 8th of December 1688 The Upper house sat again

Present

The honourable { William Joseph Esq^r } Coll William Digges }
 { Coll Henry Darnall } Clement Hill Esq^r }

p. 593 M^r Jones from the Lower house to tell this house that the Lower house is ready for the Conference; and was answered that this house is also ready.

The Speaker and Lower house come in and the Conference began

1 M^r Nutters Petition Allowed 4000^{lb} Tobacco and liberty to make out his further Claim at the next Assembly.

2. Coll Taillers Account 1932 Suspended for the Present till both houses are better Satisfied in it

3 Agreed being a Mistake

4 M^r Underwoods Allowance Allowed this time and for the future no such Allowance to be

5 Deakins Door keeper Allowed 3000^{lb} Tobacco

6 Thomas Beale 5400 the 5000 Allowed and the 400 cut of and that was Allowed because the Committees Sat there and drank Drink not of the house.

5000 Allowed M^r Vansweringen for the same.

2000^{lb} Tob. Allowed to M^r Turling 1000 to M^r Pennington & a 1000 to M^r Mathews

Coll Tailler Allowed 2000

Allowance to the Ordinary keepers of 20 p^r C^t The same Allowed.

To the Clerks of both houses a 1000 a peice Extraordinary
 Clement Hill goes to the Lower house with two Bills Assented to by this house, the Reviving Bill & the Bill for Regulating Expences in future Assemblies, He returns

Goes again to the Lower house to acquaint them that the Deputy Governors are ready in the Upper house to receive them with the Bills past both houses in Order to Conclude this Sessions

He returns and says the Lower house have not yet finished the Bill for Publick Charge.

M^r Jones from the Lower house and brings the Bill for Explaining the Act for Secretarys fees the same read.

Coll Digges sent for and comes in

Coll Digges and Major Sewall the two Secretarys and go to the Lower house & Carry the Bill Explaining Secretarys fees and to Speak to the Same, that for the future they will not Charge Recording Proceedings till next Assembly at least And desire that now it may be let alone the Act being not so rightly drawn as it ought to be.

They return and say the Lower house are well Contented

Mr Dent Clerk of Lower house fetches the last Laws 1686

D^r Brookes, Cap^t Pile Mr Thurston and Mr Hawkins and bring the Act for Assesing the Publick Charge, The same read and past this house

The same sent to the Lower house by Coll Digges and Mr Clement Hill and they tell the Lower house that this house are ready

They return and Say the Lower house will attend this house Immediately

They come into this house Accordingly the Speaker presents to the President the following Bills Viz^t

An Act for Reviving the Temporary Laws of this Province

An Act for a Perpetual Commemoration and thanksgiving on every Tenth Day of June for the Birth of the Prince.

An Act for Preservation of Orphans reall Estates

p. 594

An Additionall Act to the Act for Regulating Ordinaries and Limiting the Number of them within this Province

An Additional Act to the Act for Encouragement of Tillage and raising Provisions for Advancement of Trade within this Province

An Act for Erecting some new necessary Towns

An Act for Encouragement of making Linnen and Woollen Cloth within this Province.

An Act for Encouragement of sowing and making hemp and flax within this Province

An Act against Exportation of Wooll and old Iron

An Act for Repairing of the State house

An Act for Payment and assessing of the Publick Charge of this Province

The Same received by the honourable the President, and having them in his hands, says, The Right Honourable the Lord Proprietary Willeth these to be Laws

The Honourable Coll Henry Darnall Keeper of the Great Seal after the said Acts were fixed together; Causes to be writt as followeth

8th December 1688

The Right honourable the Lord Proprietary Willeth these to be Laws
Henry Darnall.

Lib. W. H. The President tells the Speaker and Lower house that he hopes the Country will give them thanks for the Service they had done them; and then the said President on Behalf of himself and the rest of the Deputy Governors Prorogueth the Assembly till the second Tuesday in April next; And the Assembly was Accordingly Prorogued till the second Tuesday in April Anno Domini 1689.

Finis.

p. 295 An Act for a perpetuall comemoration and
thanksgiueing on every tenth day of June for the birth
of the Prince

Forasmuch as it hath pleased Almighty God of his infinite mercie & goodnes to vs & our posterity to bless his sacred Maj^{tie} our dread Soveraigne and his Royall consort the Queen in the birth of a most hoopefull & glorious Prince that the remembrance thereof may be extensive as farr as in vs lies equall to the greates benefitt & happinesse we enjoy thereby Be it therefore enacted by the right Hon^{orable} the L^d Prop^{ry} by & with the Advice & consent of the vpper & lower houses of this p^{re}sent genll. assembly & the Authority of the same th^t every tenth day of June for the time to come (being the birth day of the said glorious Prince) be sett a part & kept holy & annually celebrated by rendring hearty publique praises and thanksgiueings vnto almighty God for the great & inestimable blessing aforesaid soe th^t the generacons to come as is their duty may effectually wth true piety & humble devocon praise the Lord for the p^{re}sent blessing & alsoe pray th^t his Maj^{ties} royall and renowned offspring may as now be the Subject of our hearty & humble praises to Almighty God for ever, And be it further enacted th^t all & every person & persons inhabiting wthin this Province shall vpon the said day annually resort wth diligence & devocon to some vsuall Church chappell or place where such publique thanksgiueing & praises to Gods most diuine Maj^{tie} shall be rendred & there orderly abide dureing the said publick thanksgiueing prayers & other service of God there to be vsed & minister'd and th^t all p^{er}sons may be put in mind of their duty thereon & be the better prepared to discharge the same wth becoming devocon.

Be it also further enacted th^t every Minister & teacher shall giue notice to the hearers publicly in the Church chappell or place of Worship at Morning Service the Lords day next before such tenth day of June for the due observacon of the said day and shall then publicly and distinctly reade this p^{re}sent Act to the people

An Act for reviuering the Temporary Lawes of this Prouince Lib. W. H.

Be it enacted by the right Honourable the Lord Prop^{ry} by & with the Advice & consent of the vpper & lower houses of this p^rsent gen^rll Assembly & the Authority of the same th^t one Act made at a gen^rll Assembly held at S^t Johns the seventeenth day of Aprill 1661 entituled an Act concerning the hight of fences, one other Act made the same Assembly entituled an Act for conveyance of all Letters concerning the State & publick affaires, one other Act made at a gen^rll assembly held at S^t Maries the fifteenth day of Septemb^r 1663 & there continued p. 296 vntill the third day of October following and from thence adjourned vntill the second tuesday in Septemb^r 1664. Entituled An Act prohibiting arrests vpon Saboath dayes & dayes of gen^rall Muster & traineing, one other Act made the same Assembly entituled an Act for Amerciam^{ts} in the provinc^{ll} & County Courts, one other Act made at a gen^rll Assembly held at S^t Maries the tenth day of Ap^{ll} 1666 Entituled An Act prohibiting forreigne Ingrossers one other Act made at an Assembly begunn & held at S^t Maries the thirteenth day of Aprill 1669 Entituled An Act for limitation of certaine Accōns for Avoyding Suites at Law, one other Act made the same Assembly entituled An Act for provideing sufficient freight & carriage for the proper goods & commodities of his Lordsp^p the Lord Prop^{ry} of this province & the governo^r of this province for the time being, one other Act made the same Assembly Entituled an Act what shall be good Evidence to proue forreigne debts an other Act made at a gen^rll Assembly held at S^t Maries the Seven & twentieth day of March 1671. Entituled An Act Against divulgiers of false news one other Act made the same Assembly Entituled an Act ag^t hogstealers one other Act made the same Assembly entituled An Act for the provideing a standard with English waights & measures in the Severall & respectiue Counties wthin this province one other Act made the same Assembly Entituled An Act prohibiting the importacon of all horses mares guildings or Colts into this province, one other act made at a gen^rll Assembly held at S^t Maries the tenth of October 1671 Entituled an Act for the explanacon of one clause in an Act prohibiting the Importacon of all Horses mares geldings or colts into this province wth an addition & amendm^t therein one other Act made the same Assembly Entituled an Act for markeing high wayes & makeing the heads of Riuers creeks branches & Swamps passable for horse & foote, one Act made the same Assembly Entituled an Act for stay of Execu^{cō}ns after Ap^{ll} Court, one Act made at a gen^rll Assembly held at S^t Maries the thirteenth day of Ap^{ll} 1671 Entituled

Lib. W. H. an Act concerneing the Impanelling the grand inquest in the severall Counties within this Province one Act made the same Assembly Entituled for the Survey^r gen^{rls} fees, wth addicon of fees vpon resurveys & for levieing the same, one Act made the same Assembly Entituled an Act for paym^t of fees due from Criminall persons. one Act made the same assembly Entituled an Act concerneing those serv^{ts} th^t haue bastards one other Act made the same Assembly Entituled an Act against burners of fences, one other Act made the same Assembly Entituled An Act prohibiting all masters of Shippes or vessells or any other psons from transporting or conveying away any pson or psons out of this province wthout passes one other Act made at a gen^{rl} Assembly held at St^t Maries the twelfth day of ffeb^{ry} 1674. Entituled An Act concerning what shall be allowed to grand Juries th^t are sumoned twice a Yeare out of the body of the province to attend provincall Courts, one other Act made at a gen^{rl} Assembly held at St^t Maries the fifteenth day of

P. 297 May 1676 Entituled An Act for secureing Merchants & other tobaccoe after they haue recd it, one other Act made the same Assembly Entituled an Act relateing to the seizure of tobaccoe by the Sheriffe one other Act made the same Assembly Entituled an act for the publicacon of Marriages, one other Act made the same Assembly Entituled an act relateing to servants & slaues one other Act made the same Assembly entituled an Act touching Coopers & gage of Tobaccoe hhds, one other Act made the same Assembly Entituled an Act for easem^t of the inhabitants of this province in Suites of Law for small debts one other act made the same Assembly Entituled An Act for the Constables takeing the list of taxables one other Act made the same Assembly Entituled An Act against the Importacon of convicted psons into this province one other Act made at the same Assembly Entituled An Act for secureing of Creditto^{rs} one other Act made at a gen^{rl} assembly held at St^t Maries the twentieth day of October 1678 Entituled an Act for regulateing Ordinaries & Limitting the Numb^r of them wthin this province one other Act made the same Assembly Entituled An Act for the better Aministracon of Justice in the County Courts of this province One other Act made the same Assembly entituled An Act for keeping a register of births Mariages & burialls in each respectiue county wthin this Province one other Act made the same Assembly Entituled An Act for appeales & regulateing writts of Err^r one other Act made the same Assembly Entituled An Act imposeing a penalty on all such who shall dispose of tobaccoe seized or receiued by the Sheriffe or others, one other Act made at an Assembly begun & held the Sixteenth day of August 1681 Entituled an Act for the ordering &

regulateing the Millitia of this Province for the better security Lib. W. H.
& defence thereof one other Act made the same Assembly
Entituled An Act for the better Administracon of Justice in
probate of wills granting Administracōns recouery of legacies
& secureing ffiliall porcōns one other Act made the same
Assembly Entituled An Act for the more speedy bringing to
tryall and Suppressing Criminalls & limiting their punish^{ts} for
certaine Offences when psecuted in the County Courts one
other Act made the same Assembly Entituled An Act for
p^rventing vexatious & vnnecessary suites at Law, one other
Act made at a gen^l Assembly held at the City of S^t Maries the
twelfth day of Novemb^r 1681 Entituled An Act ag^t Ingrosers
& regraters one other act made at a gen^l Assembly begunn
& held at the Citty of S^t Maries the twenty fifth day of Aprill
1682 Entituled an Act for Encouragem^t of tillage & raiseing
pvisions for Advancem^t of trade wthin this Province one other
Act made the same Assembly Entituled an Act limiting the
Expences of the Comiss^{rs} of the County Courts of this prov-
ince one other Act made at the same Assembly Entituled an
Act Ascertaineing w^t damages shall be allowed vpon pro-
tested bills of Exchange one other act made at a gen^l
Assembly begunn & held at the Ridge in Ann-Arrundell
County the second day of October 1683 Entituled an Act for the
regulateing the tares & abuses in tobaccoe hh^{ds} one other Act
made the same Assembly Entituled an Act limitting the Extent
of Attachm^{ts} & provideing w^t shall be levied on Attachm^{ts} &
Execucōns one other Act made at a gen^l assembly held at
S^t Maries the nineteenth of Novemb^r 1686 Entituled An Act p. 298
for Advancem^t of Coynes one other Act made at a gen^l
Assembly held at S^t Maries the two & twentieth day of Ap^l
1684 Entituled an Act ag^t excessiue vseury, one other Act
made at a genll assembly held at S^t Johns the seventeenth
day of Ap^l 1661. Entituled an Act for Appoyntm^t of certaine
Officers excepting the latter clause thereof relateing to
sheriffes w^{ch} is not reviued one other Act made at a genll
Assembly held at S^t Maries the tenth day of Ap^l 1666 Enti-
tuled an Act prohibiting trade wth Indians for any flesh dead
or aliue except deare and wild foule the same & every of
them be & are hereby reviued & continued to stand in full
force & virtue for & dureing the terme of three yeares or to
the end of the next genll Assembly w^{ch} shall first happen.

An Additionall Act to the Act for regulateing Ordinaries
and Limiting the numb^r of them within this Province

Whereas a good & profitable Act was made at an Assembly
held at the Citty of S^t [Maries] the twentieth day of October

Lib. W. H. in the third yeare of his Lōpps dominion in the yeare of o^r Lord 1678 Entituled An Act for regulateing Ordinaries & limiting the numb^r of them wthin this province yet Notwithstanding the good provision thereby made against such exaction Experience of late hath found the same soe farr from remedying the said Abuse th^t many of them are growne more excessiue & outragious in their prices & to avoyd the penalty of the said Law doe refuse to deliuer when desired vnto their debtor vnder their hands the p^ticulars of the Liquors & accomodacōns had & receiued of them feareing the same should discouer their vnjust charge against the said Act & often times when the said debtors are overtaken in drink fraudulently obtaine bills vnder their hands & seales for such their debts vnjustly charged whereby their books are discharged w^{ch} otherwise in sueing the said accompt the said books in Court would discouer their illegall exaction by w^{ch} cunning devises they often avoyd the penalty of the said Law & much damnifie the said debto^{rs} to prevent w^{ch} abuses for the future Be it enacted by the right Hono^rable the Lord Prop^{ry} by & with the advice & consent of the vpper & lower houses of this p^rsent genll Assembly & the Authority of the same th^t from & after the twentieth day of Aprill in the Yeare of o^r Lord 1689 noe Ordinary keeper w^tsoever wthin this province for any debt due to him for Liquor or any other Ordinary accomodacōns shall take any bill bond or other security other then the acc^o charged in his booke for the same or recouer Judgm^t in

p. 299 any court of record wthin this Province for such debt till he hath before one Justice of the provincall or County Court or one Alderman of the Citty of S^t Maries first taken his corporall Oath th^t the p^ticulars of the said Acc^o are truely rated according to the rates & prices sett & Assessed by the Justices Impowred thereto by the aforemencōned Act of Assembly & th^t the same was sold & deliuered by order of the said debt^r to the said debtor or his appoyntm^t & th^t bona fide wthout fraud he bought the same Liquors for quallity as in his said Accompt he hath named them, & sold the same againe wthout any mixture or Imbasem^t other then what was ordered by the said debtor or wth his consent w^{ch} Oath soe taken shall be certified vnder the hand of such Justice of the Provin^l or County Court or Alderman of the Citty of S^t Maries before whome the same shall be taken & deliuered to the said debtor before any security be taken otherwise the said bills bonds & all other security shall be voyd & a perpetuall barr against the said credit or other then the said booke debt legally charged according to Act of Assembly as aforesaid for w^{ch} said certificate they shall pay to the Clarke the said Justice shall employ

to write the same the sume of twelue pence sterling or twenty Lib. W. H.
pounds of tobaccoe to be allowed them againe in the said
Account sworne to against such debtor w^{ch} said debtor shall
alsoe endorse vnder his hand such bill bond or other security
giuen wth these words an accompt deliuered before passing
this bill according to act of Assembly provided this Act shall
not hinder any such Ordinary-keeper from selling for ready
money wthin doores or wthout any liquors wthout any such
account giuen as is by this Act prescribed but may doe the
same as before the makeing hereof any thing hereinto the
contrary notwithstanding And be it further enacted by the
Authority Aforesaid th^t noe pson or psons inhabitting wthin this
Province not haueing a Lawfull licence shall sell by retaile any
Cyder Quince drink or other strong liquor to be drank in his
or their houses or about his or their plantation vpon forfeiture
of every time he she or they shall be legally convict thereof
the sume of one thousand pounds of tobaccoe one halfe thereof
to the right hono^rable the Lord Prop^{ry}: the other halfe to the
Informer or him or them th^t shall sue for the same to be recou-
ered in any Court of Record wthin this province wthin noe
Essoyne protection or wager of Law to be allowed. This Act
to Indure for three yeares or to the end of the next genll.
Assembly w^{ch} shall first happen

An Act for preservation of Orphans reall estates

Whereas a good and proffitable law was made at an
Assembly held at the Citty of S^t Maries the tenth day of
Octob^r in the fortieth yeare of the dominion of the right
Hono^rble Cæcilius of noble memory and in the year of o^r Lord
1671 Entituled an Act for the p^rservacon of Orphans Estate
the w^{ch} said Act nor any other heretofore as yett made hath
any wise effectually provided against wast sale or destrucon
comitted of in or vpon the reall Orphans to w^{ch} dwelling
houses out houses Lands woods orchards & Fenceings other-
wise then what the Lawes of England has prescribed w^{ch} is p. 300
thought to strict & severe for the p^resent constitucon of this
Province where men cannot enjoy the benifitt of the said land
wthout cleereing of the same in doeing w^of timber must be
fallen w^{ch} by the Law of England aforesaid is wast & the
damages therevpon esueing is farr greater many times then
the full value of the Land here & it is most apparent th^t not-
withstanding the parents of such Orphans are p^rsons of greate
estates whilst liueing yet their Orphans or heires seldome
come to possesse & enjoy any thing more then the lands &
plantacōns by them left for the remedy w^of for the future Be

Lib. W. H. it enacted by the right Hono^rble the Lord Prop^ry by & wth the Advice & consent of the vpper & lower houses of this p^rsent genll Assembly & Authority of the same th^t from & after this p^rsent sessions of Assembly all gardians of Orphans th^t shall haue Any reall estates in land wth the orphan or Orphans to whome the same belongs & committed to them other then such whome the testator in his life time by his last will & testam^t hath otherwise Ordered & disposed of wthin one Month after takeing vpon him or her the guardianship of such Orphan or Orphans shall wth one Comiss^r of the said county where the said land lyeth & two other p^{rs}ons of good repute & well skild in building & plantacon affaires neither of them being of kinn or otherwise interested in either Orphan or guardian enter vpon the said Land or plantacon to such Orphan or Orphans belonging & vei^w the dwelling houses Out houses land orchards & fenceing th^t are vpon the said plantacon & then & there the said two p^{rs}ons soe quallified as aforesaid shall take their corporall Oath vpon the holy Evangelists by the said Comiss^{rs} to be administred th^t according to the best of their skills & Judgm^t they will make a Just Estimate of the Annuall Vallue of the said Land & plantacon & what dwelling houses out houses Orchards & fenceings are vpon the same & in what repaire they are in & in what p^{te} of the said Land they Judge the said guardian may be p^mitted further to cleere vpon the said plantacōn as well to raise the yearely rent soe vallued as aforesaid as alsoe towards his charges yearely in keepeing the said dwelling houses out houses Orchards & fenceings in sufficient repaire & soe by him to be left allwayes haueing regard to leaue a proportionable p^{te} both for Quallity & quantity of the vncl^{ear}'d land for the benifitt & Advantage of the orphan or heir when at age to possesse the said Land or plantacōn as alsoe the Orphans mainetenance out of the same where the profitts of the p^{rs}onall Estates be not sufficient to mainetain him or them & the same to certifie vnder their hands & seales attested by the Comiss^{rs} soe Administring the Oath as aforesaid into the County Court next ensueing after vei^w soe had & made as aforesaid & there to remaine vpon record vntill the said Orphan or heire comes of age w^{ch} Certificate soe entred & remaineing vpon record as aforesd shall be sufficient evidence in Law for

p. 301 the said Orphan or Orphans to recouer double damages in an accōn of wast by them to be brought when at age for any wast sale or distrucōn committed or done in any of the p^rmisses other then what the said p^{rs}ons haue certified & thought necessary wth due respect had to all circumstances & matters aforesaid Be it further enacted by the Authority

aforesaid th^t the Com^{rs} of each County Court within this prov- Lib. W. H.
ince by virtue of this Act shall haue full power from time to
time & at all times hereafter vpon p^rsentm^t by the grand
Jury or any other Informacon to them giuen of any such wast
sale or distruction made done or committed vpon any Orphans
reall estate by any such gardian by legall warr^t to cause the
said gardian to appeare before them in the said County Court
& if vpon examinacōn thereof the said Informacon be suffi-
ciently proved & th^t the said gardian shall not be of Sufficent
abillity to answer the dammages of such wast by him committed
contrary to this Law when the orphan comes to age th^t then
the said Commis^{rs} doe require the said gardian to giue suffi-
cient security to make satisfacōn to the said Orphan or
Orphans when at age as aforesaid & vpon refusall thereof to
remoue such gardian from of the said plantacōn or lands and
to putt such other into possession thereof as the said Orphan
or Orphans if at age to chuse his her or their gardian shall
elect & if not then such other as the said Comis^{rs} shall think
meete being willing to take the same who shall enjoy the said
Land or plantacōn (committing noe wast & p^rformeing all
such matters & things at his entry therevpon as by this Act is
required) vntill the said Orphan comes to age and the said
p^rson soe choosen or by the said Justices put in possion as
aforesaid shall in the name & to the vse of the said Orphan
bring his Accōn of wast against the former gardian for the
damages by him comitted And be it further enacted th^t all
the matters & things contained in the Act for p^rservacon of
Orphans p^rsonall Estates and in this Law for p^rservacon of
reall estates be by the Commiss^{rs} of euery County Court in
this province soe often as the grand Jury shall there be sum-
moned giue the same in charge to them & shall alsoe every
June Court Yearely & every yeare hold a Court according to
Act of Assembly solely & wholly to putt in Execucōn the
matters & things in this Law & the said Law for p^rservacōn
of Orphans p^rsonall estates contained vpon the penallty of fife
hundred pounds of tobaccoe each Justice, one halfe thereof to
the right hono^rable the Lord Prop^{ry} and the other halfe to him
or them that shall sue for the same to be recouered in the
Provincall Court by bill plaint or informacōn wherein noe
Essoyne protection or wager of Law to be allowed.

An Additionall Act to the Act for Encouragement
of Tillage and Raiseing provisions for Advancement of
Trade within this Province.

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Bee it enacted by the R^{tt} Hono^{ble} the Lord Prop^{ry} by & with
the advice & consent of the vpper & Lower houses of this

Lib. W. H. p^rsent Gen^l Assembly and the Authority of the same that all & every p^rson and p^rsons whatsoever that shall solely & wholly Employ his time, or any Number of his Seruants or others belonging to his family in the tilling Ordering & dressing his Land or any part thereof in order for the Propagateing of all or any sorte of English graine & Indian Corne & shall not at any time putt or Employ any of the p^rsons aforesaid in Planteing tending or makeing Tobacco, but shall wholly Intirely and Constantly follow husbandry such p^rson & p^rsons shall haue and Receive the seuerall benefitts & allowances hereafter mentioned that is to say, that every such p^rson or p^rsons soe wholly Employed as aforesaid shall be exempt & free from all publick & county Leavies And shall alsoe be allowed out of the county Leavie wherein the said Graine shall be soe made the summe of six pounds of Tobacco p bushell for all or any sorte of English Graine, the quantity being made appeare by two sufficient witnesses before the Justices of Each county Court according to law, And likewise if any p^rson well skilld in the makeing of Malt shall of the vsuall Graine of wheate or Barley of the produccōn of this Province bring the same to p^rfeccōn for the same shall be allowed the summe of Tenn pounds of Tob^o p Bushell, to be paid when made appeare as aforesaid provided noe p^rson shall Receive any benefitt intended by this Act for any Graine already sowed, this Act to Endure for Three Yeares, or to the End of the next Generall Assembly.

An Act for Erecting some new necessary Townes.

p. 303 Whereas the whole hundred of S^t Clements & a greate part of Chapticoe Hundred in S^t Maries County is bounded by the two great Rivers that empty themselves the one into S^t Clements & the Other in Chapticoe Bay with two very great steep Hills Adjoining to the said Rivers by which meanes the Carriage of Goods or Tobacco over Either of the said Rivers or hills is Impossible, and whereas there's no Towne Assigned and Appointed by Act of Assembly within the said S^t Clements hundred or that part of Chapticoe hundred between the Rivers af^d by which meanes a very great & considerable quantity of tobacco made in & vpon the p^rmisses cannot possibly be conveyed or Transported to any Towne in S^t Maries County or any other Towne as is by Act of Assembly appointed & Comanded but must be soe done with great difficulty & hazard by water, for Remedye whereof & for the Redresse of so grat a Greivance Bee It Enacted by the R^{tt} hon^{ble} the Lord Prop^{ry} by & with the Advice & consent of the vpper & Lower houses of this p^rsent Gen^l Assembly And the authority of the same

that one hundred Acres of land be Assigned laid out & Survey'd on the North side of wiccocomocoe River Between white point & bluff point vpon the Land of Cap^t Gerrard Slye within the County aforesaid to be called or knowne by the name of Wiccocomocoe towne for such vse & vses and vnder such limitacōns Restriccōns & quallificacōns as any other Towne or Townes already Built are or by the Law ought to be any other Law or vsage to the Contrary Notwithstanding, & whereas the Inhabitants of Langsford bay hundred in the county of Kent haue humbly prayed that they may have a towne upon a certain point in the said Bay called Cackaway point, they haueing no Towne port or place of trade whereto they can carry their goods & Merchandizes but with great difficulty & change of winds and danger of Endammageing their said goods & M^rchandizes in Ladeing & vnladeing at the adjacent Townes by meanes of great Shoales Bee It therefore Enacted by the Authority aforesaid that One hundred Acres of Land on the said Cackaway point being form^ly the Land of Toby Wells for the ease & benefitt of the Inhabitants of the said bay be survey'd & laid out for a towne port & place of Trade & to be called by the name of Glocester Towne vnder such limitacōns & with the benefitt of such priuiledges as to other Townes nominated & Appointed by the Act for Advancem^t of Trade & Supplimentary Acts to the same are allowed, And whereas alsoe Itt is found Absolutely Necessary for the conueniency of the Inhabitants of the severall Hundreds in the sev^ll Countyes hereafter named that Townes, Ports & Places of trade be erected in such places of the said Countyes as is hereafter nominated & appointed Bee it alsoe Enacted by the Authority aforesaid that for the benefitt of the Inhabitants of S^t Michaell's hundred in S^t Maries County one Towne port or place of Trade be surveyed & Laid out att the head of S^t Jeromes Creeke vpon the Land of M^r William Gwyther to be called by the name of S^t Jeromes Towne, & for the ease & benefitt of the Inhabitants in & about S^t Maries that one Towne Port or place of Trade be surveyed & Laid out on the south side of Petuxant River in Calvert County between Abington's Creeke & Joseph Edloes in such convenient place as the Commiss^{rs} appointed for townes in the said County shall think fitt to be Called by the name of S^t Joseph's Towne, alsoe one other Towne port & place of Trade to be Surveyed & laid out at Bowlings Point in the ffreshes of Petuxant River to be called by the name of Bowlington for the use & benefitt of the Inhabitants of Mattapany Hundred in the County aforesaid, One other upon a Tract of Land called Morgan neare the head of ffishing creek in little Choptancke in Dorchester

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Lib. W. H. County to be called by the name of Dorchester, And Alsoe one other Towne to be surveyed & Laid out on the North side of Corsica Creek in Talbott County at a place called Glevens point to be called by the name of Talbott Towne; the which severall Townes, Ports & places of Trade to be vnder such Restrictiōns and Limitaciōns as alsoe to haue and Enjoy the full benefitts and priuiledges of any other Townes, ports & places of trade by the sev^l Acts for Advancement thereof nominated & appointed anything in the afore Recited Acts to the contrary hereof in any wise Notwithstanding.

An Act for Encouragement of makeing Linnen & Woollen cloath within this province

p. 304 The Vpper and Lower houses of this p^rsent Gen^l Assembly haueing taken into their serious Consideraciōns the great quantities of Linnen and Woollen cloath which are brought from fforreigne parts into and Spent in this Province & that the Inhabitants of this Province for want of the like pollicy & Industry as other Countreyes have attained unto in the Invent- ing & practiceing & putting in Exercise the makeing of Linnen & Wollen Cloath, doe yearly spend vast sumes of Money and quantities of Tobacco in purchaseing those manufactures for cloatheing & Considering the great benefitt & advantage that by the makeing of such manufactures of Linnen & Woollen cloath will accrue to this Province & being willing to give all due Encouragement that may be to any p^rson or p^rsons whatsoever that will make or cause to be made any Linnen or Woollen cloath doe humbly pray that it may be Enacted, And bee it Enacted by the R^t hon^{ble} the Lord Prop^{ry} by and with the advice & consent of the vpper & Lower houses of this present Generall Assembly & the Authority of the same, that from & after the publicacōn hereof any p^rson or p^rsons whatsoever Inhabitants within this province that shall make or cause to be made & woven within this prouince of the growth & manufacture of this province any Quantity of Linnen or Woollen cloth of what kind soever such p^rson or p^rsons so makeing or causing to be made such linnen or woollen cloth as aforesaid within this province shall for his & their Encour- agement in the advanceing & setting forward such manufac- tures haue and Receive from the severall & Respective Com- miss^{rs} of the severall and Respective County Courts within this province where the said p^rson or p^rsons so makeing or causing to be made such linnen or woollen Cloath as afore- said shall dwell and reside, for every Yard of Linnen Cloath so to be made as aforesaid being Three quarters of a yard

broad at the least the sum of six pounds of Tobacco, & for every yard of woollen cloath soe to be made as aforesaid being Three quarters of a Yard broad att the least the summe of tenne pounds of tobacco, to be Raised & paid to the pson & psons makeing or causeing to be made such Linnen or woollen cloth as aforesaid in manner & forme as herein is sett downe & Expressed (that is to say) every pson or psons Inhabitting within this province that shall make it sufficiently appeare to the Commiss^{rs} of the Respective County Courts where hee or they shall Live or reside, that hee or they haue made or caused to be made & woven in the same County of the Growth & Manufacture of this province any quantity of Linnen or Woollen cloath of the breadth aforesaid Either by produceing the same to the Commiss^{rs} of the said severall and Respective County Courts in their Courts sitting or to any other pson or psons by them the said Commissioners from time to time for that purpose to be appointed or by any other Sufficent prooffe or Testimony by the said severall & Respective County Courts to be approved & allowed off shall Deliver to the Clk of the Respective County Courts where he or they shall Inhabitt as aforesaid a p^ticular of the quantity of Yards of Linnen or woollen Cloth by him or them made or woven or Caused to be made and woven as aforesaid of the breadth aforesaid with the time when the same was made and woven, & by whome the same was soe made & woven which said Clk: of such County Court shall without any ffee or Reward to be paid or Demanded for the same as well cause an Entry to be made of the same in the Record booke of the said County Court as also at the Laying of the next County Court Leavy shall p^rsent to the Commiss^{rs} then p^rsent a List of the psons names that haue made such cloth of the Breadth aforesaid and the quantities thereof Entred as afores^d and the said Commiss^{rs} of the Respective County Courts aforesaid shall cause to be Levied by an Equall Assessment upon the Inhabitants of the said County for every yard of Linnen cloth made & woven as aforesaid of the breadth aforesaid six pounds of Tobacco and for every yard of woollen cloth made & woven as aforesaid of the breadth aforesaid Tenne pounds of Tobacco to be paid to the p^ties the true owners of such linnen or woollen cloth as afores^d And for the Encouragement of makeing of good fine & serviceable Linen and woollen Bee It Enacted that whosoever shall make or cause to be made the finest and best piece of Linnen Cloth being twenty yards in length and three quarters of a yard wide (and the same shall be soe adjudged by the Commissioners of the County Courts where and when the same shall be made & produced to them at the Laying their

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Lib. W. H. respective County Leavies) shall yearly and every year that the same is made and produced dureing this Act for his Encouragement be allowed four hundred pounds of Tobacco for the same out of the County Leavy over and above the allowance by this act for Encouragem^t of makeing Linnen & woollen thereby given and to him that shall make or Cause to be made any peice of Linnen of the length and breadth aforesaid being next in finesse and goodnesse to the first and adjudged so as aforesaid & produceing the same as aforesaid shall haue the Summe of two hundred pounds of Tobacco and to him that shall make or cause to bee made any peice of Linnen of the length and breadth as aforesaid of the next in goodnesse and finesse to the first and second and produceing the same as aforesaid & adjudged as aforesaid shall haue the Summe of one hundred pounds of Tobacco & the person or psons makeing or causeing to be made the Three finest and best peices of woollen Cloth of the length & breadth aforesaid shall haue the Severall allowances as aforesaid as for Linnen cloath this Act to Indure for Seaven yeares from the twenty fifth day of Decemb: next Ensueing.

An Act for Encouragem^t of sowing and makeing
Hemp and flax within this Province.

p. 307 Bee it Enacted by the R^{tt} hono^{ble} the Lord Prop^{ry} by and the advice and Consent of the vpper and Lower houses of this present Generall Assembly & the authority of the same that from and after the end of this p^{rsent} Sessions of assembly if any pson or persons whatsoever Inhabitants within this province shall and will by himselfe or Servants, or by any other by him Imployd or hired Cause or procure to be Sowed any Linseed otherwise called hemp seed or flax seed and shall after the gathering thereof cause such flax or hemp so raped or gathered to be braked swineled and made Merchantable fitt for Sale, such pson or psons Inhabitants within this Province shall for his and their Encouragem^t in so good a worke demand haue and Receive for every pound of flax or hemp by them so made Merchantable and fitt for Sale as afores^d Two pounds of tobacco for every pound of flax & one pound of Tobacco for Every pound of hemp to be paid him or them by the Commis^{rs} of the respectiue County Courts within this Province & Raised out of the respective County Leavie of the said severall and Respective Countyes where such flax shall be sowed braked swineled made Merchantable & fitt for sale as aforesaid provided such person or psons makeing such flax or hemp as aforesaid shall by produceing the same to the Commiss^{rs} of

the said County Courts or to any other person or persons by them Lib. W. H.
from time to time appointed or by any other wayes or meanes
whatsoever sattisfie and make it appeare to the Comiss^{rs} of
the said severall & Respective County Courts that he or they
or his or their Servants or workemen haue made or Caused to
bee made any quantity of flax or hemp and so braked swinled
& made Merchantable & fitt for Sale as aforesaid. This Act
to Indure for seaven yeares from the 25th day of December
now next Ensueing.

*

An Act against the Exportacōn of wooll & old Iron

Whereas the exportacōn of wooll and old Iron is generally
Conceived to be much prejudiciall to the Commonweath &
good of this province Bee it therefore Enacted by the Lord
Prop^{ry} by & with the Consent of the vpper & Lower houses
of this present Generall Assembly that what pson or persons
soever shall Export or shipp on board to the Intent to Export
out of this Province either wooll or old Iron shall for every of
their offences in soe doing pay as foll (Viz^t) for every pound
of wooll fifty pounds of tob^o And for every pound of Iron tenn p. 308
pounds of Tobacco the one halfe of which said payments &
forffeitures shall be paid to the Informer & the other halfe to
the Lord Prop^{ry} & this Act to Continue three yeares or to the
end of the next Generall Assembly.

An Act for Repareing the State house

Whereas an Act was made in the fforthy Second year of the
Dominion of the R^{tt} hono^{ble} Cæcilius absolute late Lord & Prop^{ry}
of the Provinces of Maryland & Avalon Lord Baron of Balte-
more &c^a of noble memory Deceased for the Erecting &
Building a State House in the City of S^t Maries which said
State house for want of Repaireing gone very much to decay
and ruine Bee it Enacted by the R^{tt} hono^{ble} the Lord Prop^{ry} by &
with the advice and Consent of the vpper and Lower houses of
this p^rsent Generall Assembly and the authority of the same,
that there be added in length to the wall of the north west
gable end ffive foot, which wall to be of the same thickness as
the wall now is & that there be built a brick Chimney at the
same end with one fire hearth below & another aboue. the
fire hearth below to be tenn foot from Jawine to Jawine and
the vpper hearth to be Eight foot from Jawine to Jawine &
that the said Chimneys' be built so, that neither of them cause
any of the Roomes to be smoaky, and likewise that the wall
of the Southwest Gable end be taken downe as farr as shall

Lib. W. H. be Judged necessary & the same be Rebuilt againe (the defect being Supply'd) as formerly and alsoe the windowes behind the Court of Judicature be fill'd vpp with good mortar & bricks & that all other places so wanting be likewise done as aforesaid, and that all the pantiles belonging to the rooffe of the said house be taken downe, and that all the Inside of Each p'ticular roome in the whole house be plaistered & that all the p'tition walls be likewise lathed and plaistered with good well sifted Lime & clean Sand and hair for the first Cote, and the second Cote Lime & haire well white washed, & that all the floores below staires be Laid with paveing Stone, the same stone to be purchased and brought in place at the Charge of the province and to place in the windowes where need shall be strong Iron barrs all at the same Charge to be provided all

p. 309 and every the above mentioned reparacōns & the severall particulars, be Sufficient Substantiall & workmanlike done and p'formed within the Space of Eighteen months after this p'sent Sessions of Assembly, for the doeing p'formeing, Compleateing & finishing all and every the aboue mencōned particulars Sufficient & workmanlike, Bee It therefore Enacted by the authority aforesaid that Richard Benton bricklayer who hath vndertaken to finish and Compleat all the abouesaid particulars as is above Expressed & hath given Security to p'forme the same be paid out of the publick Leavy of this province the Summe of fforty thousand pounds of Tobacco, And bee it further Enacted by the authority aforesaid that all the rafters in the whole house be amended & Repaired where the same shall be requisite & that all the rooffe & other Coverings belonging to the whole house be planked with good Sound pine boards Inch thick free from heart shakes and Splitts & the Edges champherd away so that they may overlapp Sufficiently for Shingling & that the same be well Nailed with tenn peny Nailes, & also that all the whole roofes belonging or appertaining to the said house be shingled with good Ciprus Shingles twenty four Inches in length in thickness one Inch and in breadth from Six to nine Inches the same to be well Jointed and close Laid, and well nailed with Six peny Nailes & that there be a good and Substantiall Beame fastened to the principall Rafters of the South west Gable end where the same ar Spread for want of such a beame, and that the floore be lengthened at the North west end with a new Summer and other timber work Convenient & sufficient for the said addicōn & that the severall Offices that now are be taken downe & placed at the South East end of the said house & made fitt for latheing & plaistering & that there be a Strong white Oake mantle tree in the Roome below, and an other to the

fire hearth above and that all the staires and floores where the same are defectiue be made good & Substantiall and alsoe be made good folding windowes of halfe Inch good board for all the windowes of the said house aboue and below Staires for w^{ch} said worke so done Compleated & finished, and every part & parcell thereof substantially and workmanlike Bee It alsoe further Enacted by the authority aforesaid that Joseph P. 310
ffreeman Carpenter who hath vndertaken to doe pforme & finish all & every the abovesaid particulars according as is above Expressed, and hath given Security to pforme the same be paid out of the publick Leavy of this province the summe of Twenty Thousand pounds of Tobacco to be paid & allowed in S^t Maries, Calvert, Charles & Ann Arrandell Countyes or some of them, & alsoe the other payment to Richard Benton to be made in the same Countyes.

An Act for payment and assessing the
publick Charge of this Province

Whereas there hath been Three hundred ninety seaven Thousand One hundred twenty and ffive pounds of Tobacco Expended laid out and disbursed by the vpper and Lower houses of this p^rsent Generall Assembly and by Severall other the good people of this province for the publick good of the same & to the Intent that the same may be Sattisfied & paid to those p^rsons to whome the same is due Bee It therefore Enacted by the R^{tt} Hono^{ble} the Lord Prop^{ry} by and with the advice and Consent of the vpper & Lower houses of this p^rsent Generall Assembly & the authority of the same that the said Three hundred ninety Seaven Thousand One hundred twenty & ffive pounds of Tobacco be paid in manner and forme as is hereafter Expressed that is to Say to Samuell Sewall of Sommersett County Two hundred pounds of Tobacco, To George Burgess of Ann Arrund^{ll} County one Thousand & Sixty pounds of Tobacco, to ffrancis Jenckins High Sherriffe of Sommersett County Nine thousand Nine hundred & Eighty ffive pounds of Tobacco, to Andrew Abington ffive thousand ffive hundred & thirty pounds of Tob^o to Richard Tull nine Thousand ffour hundred and tenn pounds of Tobacco To Philip Lynes Eight Thousand ffour hundred & Eighty pounds of Tobacco, To Thomas ffoster of S^t Maries County Sixteen hundred pounds of Tobacco, to Doct^r Joseph Sempile sixteen thousand pounds of Tobacco Devenish Ninety pounds of Tobacco, to Coll: Peter Sayer Seaven hundred & tenn pounds of Tobacco, to William Blankestein of S^t Maries County ffive hundred & fferty pounds P. 311

Lib. W. H. of Tobacco, to Cap^t Joshua Doyne Sherriff of S^t Maries County five Thousand ffive hundred & Eighty pounds of Tobacco, to Thomas Casey of Cæcill County Eight hundred pounds of Tobacco to Jn^o Evans Cryer of the provinciall Court, two Thousand Six hundred Twenty four pounds of Tobacco, to Thomas ffaddock of S^t Maries County forty pounds of Tobacco, to M^r Edward Jones of Cæcill County One hundred pounds of tob^o to Charles Lane of Kent County Eight hundred pounds of Tob^o to William Gwyther Nine hundred & Eighty pounds of Tob^o to Thomas Yearesly of S^t Maries County Three thousand ffive hundred & seaventeen pounds of Tobacco, to the severall Sherriffes following (that is to Say) to the Sherriff of Cæcill County Seaven hundred & twenty pounds of Tob^o to the Sherriffe of Kent County Seaven hundred and Twenty pounds of Tob^o To the Sherriff of Talbott County seaven hundred and twenty pounds of Tobacco, to Cap^t Joshua Doyne One Thousand pounds of Tob^o to the Sherriffe of Dorchest^r County Seaven hundred & twenty pounds of Tob^o to the Sherriffe of Sommersett County Seaven hundred & twenty pounds of Tob^o to M^{rs} Eliz^a Baker four Thousand Eight hundred & Eighteen pounds of Tob^o to M^r Anthony Vnderwood six thousand thirty seaven pounds of Tob^o to Joseph Edloe of Calvert County Two thousand four hundred & ninety six pounds of Tob^o to M^r Gerard Vanswearingen twenty one thousand one hundred ffifty Eight pnds of Tob^o to M^r Thomas Grunwin Clk of the vpper house of Assembly Seaven Thousand pounds of Tobacco, to William Dent Clk of the Lower house of Assembly Seaven Thousand pounds of Tobacco to Edward Boothby Three Thousand five hundred pounds of Tob^o to M^r Richard Tull Three thousand ffive hundred pounds of Tob^o to M^r James Cullen three thousand five hundred pounds of Tob^o to William Taylard four Thousand pounds of Tobacco to Thomas Dekins three thousand pounds of Tob^o to Richard Edelen twelve hundred pounds of Tob^o to Anthony Evans sixteen hundred pounds of Tob^o to Arthur Keife of S^t Maries County One hundred pounds of Tob^o to Thomas Beale fifty Seaven Thousand One hundred thirty Six pounds of Tob^o to M^r Garrett Vanswaringen ffive thousand pounds of Tobacco to M^r Jn^o Turling three thousand pounds of Tob^o to M^r ffancis Pennington two thousand pounds of Tob^o to M^r Mathews of Charles County priest One thousand pounds of Tob^o to Richard Benton tenn thousand pounds of Tob^o to Joseph freeman Six thousand pounds of Tob^o to Christop^r Nutter four thousand pounds of Tob^o to John Boye Clk: two thousand pounds of Tob^o to M^r Henry Denton Eighteen thousand Seaven hundred & Eight

pounds of Tob^o to Doctor Joseph Sempile three thousand One Lib. W. H.
hundred thirty three pounds of Tob^o to Maj^r Thomas Long of
Baltemore County two hundred & ffifty pounds of Tob^o to M^r
Garrett Vanswaringen One thousand Seaventy Seaven pounds
of Tob^o to Robet Mason One hundred sixty five pounds of
Tob^o to Thomas Yearesly more One hundred and seaventy
pounds of Tob^o to M^r Richard Tull two hundred pounds of
Tob^o to Doctor Joseph Sempile Eight Hundred ffifty five
pounds of Tob^o to M^r Edward Jones of Cæcill County five
hundred fforty three pounds of Tob^o to M^r Philip Lynes Eight
hundred pounds of Tob^o to be paid to the Servants of his
house that attended the Burgesses this Assembly to M^r Henry
Denton ffour hundred pounds of Tob^o to be paid his servants
that attended as afores^d this Assembly to M^r Garrett Van-
swaringen four hundred pounds of Tob^o to be paid to his Ser-
vants that attended as aforesaid to Thomas Beale four hun-
dred pounds of Tobacco to be paid to his Servants that
attended this assembly, to the Clk that shall make vpp the
Leavie this p^rsent year three thousand pounds of Tob^o to
Philip Lynes for ordinary Expences One hundred thirty four
thous^d five hundred thirty three pounds of Tob^o and further
that there be paid & Satisfied to the Severall Sherriffes in this
province for their Sallery for Collecting the said summe of
Three hundred Ninety seaven thousand One hundred twenty
& five pounds of Tob^o the summe of thirty nine thousand
seaven hundred and twelve Pounds of Tob^o and Bee it further
Enacted by the advice Consent & authority af^d that the af^d
Summes of Tob^o amounting in the whole to the summe of
ffour hundred thirty six thousand Eight hundred Thirty &
Seaven pounds of Tob^o to be Levied and Assessed by an
Equall assessment vpon the p^rsons & the Estate of Inhabitants
of this province & be paid to the severall persons Whome the p. 313.
same is due according to the accounts Disbursments &
Necessary Charges of this province which haue bin Examined
Stated & allowed by the vpper and Lower houses of this
present Generall Assembly, any law custome or Statute to the
contrary in any wise Notwithstanding.

His Lordship willeth These to be Lawes
Henry Darnall
Keep^r

PAPERS RELATING TO THE
ASSOCIATORS' ASSEMBLY,

1689.

Copy of the Answer sent to the Burgesses from the Indians. P. R. O.

August y^e 23^d 89.

These may acquainte you what we whose names are under-written have according to request bin and treated with the Indians, and doe find 'em to be very civill and kind, and desire nothing but peace and quietness but that in part thorough the instigation of bad people, and chiefly doe instance Andrew Gray, that the English in one moone would cutt them all off, likewise concerning an Indian woman, which they say was kill'd by Cornelius Mulraine's wife, which they have expected some satisfactory answer, concerning which as yett, they have not received, also that the said Cornelius since their departure offered great abuse in robbing them of their cannows, corn, matts, bowles & basketts and they say their chests have been broke open, and since they have bin gone out, the said Grey hath bin with'em, and threatened them if they would not come home, he would gett a party of men and fetch'em p force; Likewise they say, they have ten Indians which went between Oxford Towne and Col. Lewes', and that their time of return is relapsed and are not satisfied what is become of 'em, Wereof all these things being computed together hath seized them with feare, butt that they were very joyfull at our comeing and were takeing up their goods to return to their habitations.

John Stanley	W ^m Dickenson
John Hawkins	W ^m Stevens
Clement Sales	W ^m Bexley.

This is the Copy of the Answer sent to the Burgesses from the Indians.

Address

Of the representatives of their Majestyes Protestant Subjects,
in the Province of Mary-Land assembled.

To the Kings most Excellent Majesty

Whereas we are with all humility fully assured that the benefit of your Majestyes glorious undertakeings and blessed success, for the Protestant religion, and civil rights and liberties of your Subjects, was graciously intended to be extensive, as well to this remote part, as to all others of your Majestyes

P. R. O. Territories and Countries; and being thereby influenced to express our utmost zeal and endeavours for your Majestyes service, the Protestant Religion, here of late notoriously opposed, & your Majestyes soveraigne right and dominion, to this your Majestyes Province of Maryland, invaded and undermined, by our late Popish Governors their Agents and Complices.

Wee your Majestyes most dutyful & loyal Subjects of this Province, being assembled, as the representative Body of the same, doe humbly pray your Majestyes gracious consideration, of the great grievances & oppressions wee have long laien under, lately represented to your Majesty, and directed to your Majestyes principal Secretaryes of State, in a certain declaration from the Comanders, Officers & Gentlemen lately in Armes for your Majestyes service and the defence of the Protestant religion.

And that your Majesty would be graciously pleased in such wayes and methods as to your princely wisdom shall seeme meet, to appoint such a deliverance to your suffering people, whereby for the future our religion, rights and Lyberties may be secured, under a Protestant Government by your Majestyes gracious direction especially to be appointed.

We will wayte with all becomeing duty and loyalty your Majestyes pleasure herein; And will in the mean time, to the hazard of our lives and fortunes persevere, and continue to vindicate and defend your Majestyes right and soveraigne dominion over this Province, the Protestant religion, and the civil rights & liberties of your Majestyes Subjects here, against all manner of attempts and opposition whatsoever. Hereby unanimously declareing, that, as we have a full sense of the blessing of Heaven upon your Majestyes generous undertakings, soe will endeavour to express our due gratitude for the same, as becomes professors of the best of religions, and Subjects to the best of Princes.

Maryland printed by order of the Assembly at the Citty of St Maryes August 25th 1689.

This is a true Copy of the Originall

Attested p

John Llewelin. Clk. of Ass:

(Endorsed)

Maryland

26th August 1689.

Address of the Representatives to the King

Rec^d from my Lord Shrewsbury 7th Feb: 89.

Copy rec^d: 31. December.

[Letter to the adjacent Colonies.]

P. R. O.

By the Assembly in Maryland 28. Aug: 1689.

Gent^m

Whereas of late divers horrid conspiracies contrivances and combinations have been had, made used, practised and managed by and betweene several persons of principal note, and others in Authority within this Government, popishy and evilly affected, and the severall nations of northern and other Indians in these parts of America, tending to and designeing the ruin, destruction and utter extirpation of their Majesties loyal Protestant Subjects here, as we have good cause to suspect & believe not only from the severall evidences, depositions, examinations, inquisitions and other circumstances before us thereunto relateing, but also from the inward guilt and conviction of the principall Agents and Managers thereof, who (to evade the punishment justly due to them for the same, & not able to abide the test) have privately, unknown, and in disguise betaken themselves for refuge to some other more remote parts within our neighbouring Collonies and plantations (as we have credibly read: been informed and can testifie) and doe still abscond from the hands of justice, in the most hidden and secreete places, seeking and watching for all opportunities, and advantages by such undue, unchristian and inhumane practises and combinations as aforesaid to effect and bring to pass such their wicked intents and designes as aforesaid, to the great horror & consternation of their Majesties said Protestant Subjects here, as their feare and jealousies ariseing from such proceedings have justly insinuated and inculcated into them. And whereas there can be found noe meanes (as we know of) more effectual for the true discovery and bringing to condign punishment such grievous & heinous crimes, or more conducing to their Majesties Service and interest, and the good & welfare of their Subjects in generall, then a friendly and amicable mutuall Correspondency betweene their severall Governments (of such vicinity especially and under such circumstances as we are) Wee therefore the Delegates & representative Body of this Province now assembled and mett together in their Majesties names, and for their Majesties service, having in the first place (according to our bounden duty asserted & proclaimed their Sacred Majesties King William & Queen Mary's lawfull and undoubted right and title to this Province as well as to other their Dominions and Territoryes, as (we doubt not) you have also done; Doe in the next place as Friends, Neighbours and fellow Subjects solicit and court your friendly and neighbourly Correspondency upon all occasions, by imparting and communicating to us

P. R. O. from time to time and at all times hereafter as occasion shall require all matters of import conducing any way to their Majesties Service and the good and welfare of their subjects here, also by suppressing seizing and securing all such suspicious and suspected persons as already are or shall at any time hereafter flye or go from here into your Government, without good & sufficient lycense from some Magistrate or other person or persons thereunto lawfully authorized and appointed within this Province; or other good, pregnant & undeniable circumstances otherwise clearing them; and in all things whatsoever to bear us your hearty affections love and good will in all the waies of Friendshipp and a mutuall good correspondency; all which we shall with all due care imaginable labour to preserve & keepe inviolate on our parts towards you, omitting nothing that may appear serviceable or anywaies conducing to your interest, peace & welfare. Whereunto we desire all faith & credence may be given.

Idem to Pensylvania, New York
and New England.

To the right hon^{ble} the Deputy
Gov^r or President of their Majesties
Colony of Virginia & the rest of the hon^{ble}
their Majestie's Councill of State there.
These

(Endorsed)
Maryland,

28. August 1689.

Letter from the Assembly to the Adjacent Colonies.
Rec^d from Lord Baltemore 31. Dec^r 1689.

[Order concerning Jacob Young and the Indians.]

By the Assembly, Aug^t 28th 1689.

Forasmuch as severall Overtures have been made by some of our late greate Officers and others popishly affected within this Province to the Northern Indians and others for the ruin & destruction of their Majesties Protestant Subjects here, (as we have credibly been informed) to the greate terror, amazement and consternation of the Inhabitants of this Province: And whereof Jacob Young formerly employed by this Province in affaires of this nature, as well knowne and skilled in the language and customes of the said Indians) hath been deemed by this House a person most fitt and capable to

negotiate in the present juncture; and it being altogether P. R. O. uncertain how long this Assembly may now sitt.

Voted and ordered in this House that immediate notice be hereby given to the said Jacob Young, forthwith and as soon as possibly may be after receipt hereof, to repair to this Assembly if the same shall be then sitting, or else to Captain John Cood or M^r Nehemiah Blackiston at their houses in or neere Pottomock river within this Province, who by themselves jointly or severally, or together with the rest of the gentlemen lately associated in Armes for their Majestie's Service are hereby desired, fully authorized and empowered to treat with the said Jacob Young concerning the Premisses, and to make and give such further necessary Orders, Instructions and directions to the said Young for the management thereof, as they or either or any of them shall think fitt and convenient most conducing to their Majesties Service and the good and welfare of their Subjects the Inhabitants of this Province.

Hereby granting, promising and assureing to the said Jacob Young free and safe conduct for himselfe and whom else he shall think fitt to bring with him for the present occasion, speedy and effectual redress to all his just grievances and complaints if any he hath to represent, and also full and sufficient satisfaction for his paines, trouble and charge herein to be taken, susteined and expended.

(Endorsed)
Maryland

28. August 1689.

Order of the Assembly concerning Jacob Young and the Indians.

Rec^d from my Lord Baltimore
31. December 1689.

[Letter to Richard Johnes.]

By the Assembly August 31st 1689.

M^r Rich^d Johnes,

Whereas the House have been informed that diverse malicious and evill reports have been spread abroad amongst the Neighbourhood and Inhabitants of Anne Arrundell and your County (by persons popishly inclined, and otherwise ill affected to their Majesties King William and Queen Mary, and the present Authority now mett together and assembled in their names) that it is by them designed to surprize, seize and take into Custody several persons of note in both the said Counties

P. R. O. as they have already done M^r Richard Smith, M^r Tavey, and M^r Butler now in hold: This House for the generall satisfaction of all the good people of this Province, more especially the Inhabitants of the said two Counties therein more particularly and neerely concerned) have thought fit to signifie and make knowne, And be it hereby knowne to all persons that the said reports are altogether fabulous and fictitious, false and untrue, raised and contrived only by some malicious, evill and ill affected persons as aforesaid, on purpose to divert, obstruct & prevent if possible the unanimous and joint concurrent proceedings of this House in their honest & just endeavours to settle and establish the Government of this Province in peace and quietness, according to the true intent and meaning of this House; for which end and to no other intent and purpose this House doe declare they are now assembled and mett together. They doe alsoe further say, & give assurance hereby, that they have not, neither know of any charge against any particular person whatsoever in either of the said Counties publickly resident or inhabiting, neither have they any designe or intent to trouble, molest or prejudice them in their persons or estates, but that the said Smith, Tavey and Butler now in custody are the only delinquents they know of against whom they have anything at present to say or charge, and that the rest of your Neighbours or Inhabitants as aforesaid are (soe farr forth as is knowne or made appeare) free and clear of any imputation of that nature, and therefore upon the Faith of this House have free liberty & safe conduct upon all occasions, to make their applications to this House, or any Member thereof, or otherwise to travell & pass to and fro about their lawfull occasions without lett, hindrance or molestation.

And to the end that the sense of this House may the better be published and made knowne for the satisfaction of all their Majesties loving Subjects in both said Countys, This House have made choice of you M^r Rich^d Johnes as a person of good credit & repute, & therefore most fitt to communicate & make publick the same, which you are hereby desired to doe, in such manner & forme as to you shall seeme meete & convenient, alsoe to inform yourselfe the best you cann, & signifie to this House soe soone as possible, the reason why the Election in Anne Arrundell County hath been obstructed, the Members whereof are the only persons now wanting to fill up this House.

(Endorsed)

28. August 1689.

The Assembly's letter to Richard Johns.

Rec^d from the Lord Baltemore the

31st December 1689.

Proclamation concerning Captain Hill
dated 2 Sept^r 1689.

P. R. O.

Maryland ss.

By the Assembly
A Proclamation.

Whereas by the Instigation of Captain Richard Hill of Ann Arrundell County and others his Associates and Accomplices maliciously insinuating into the Inhabitants of the said County, the great and extraordinary Charges and Taxes like to be brought upon them by the convening and sitting of this present Assembly and endeavouring to seduce them (against their inclinations and contrary to the example of the rest of the whole Province in generall) from their natural obedience to their sacred Majesties by persuading & diverting them from electing and sending to this Assembly their Representatives, to serve in the same as in their Majestie's names they were required and oblidge. The grand affairs of this Province now under the consideration of this said Assembly have bin much obstructed and retarded, of the fatall mischeefes and inconveniencies whereof the said Hill and his accomplices being truly conscious, and to avoyd themselves the pains and penalties thereon ensuing have craftely, falsely & mallitiously imputed the same to the unanimous concurrent consent and act of the s^d Inhabitants in generall as by their letter to the House read and recorded in the Journall thereof hath been suggested and sett forth whereby to render them the more obnoxious and lyable to their Maj^{ties} just displeasure and censure of this House and all other their Majesties loyall Protestant Subjects. We therefore the Delegates & Representatives of this Province in Assembly now sitting in the Citty of S^t Marys, having taken cognisence thereof and duely considered the same willing to undeceive and rightly to informe their Majesties' loyall Subjects in the said County of Anarrundell and elsewhere within this Province blinded and misled by the pretended false zeal of the said Hill his accomplices and others to deliver them from the perill and danger thereof and to reduce them to their due obedience to our Sovereaigne Lord and Lady King William and Queen Mary have thought fitt hereby to publish, proclaime and declare that to all their Majesties' loving Subjects and Inhabitants of the said County and other alike concernd that shall forthwith desert, pronounce and protest against the wicked designe faction and conspiracy of the said Hill and his Accomplices their practises & proceedings as aforesaid contrary to the faith and allegiance which in duty they owne to their sacred Majesties disobeying and contemning their sovereignty and authority in whose names we are

P. R. O. now assembled, and not together will most assuredly & undoubtedly be aforded and indulged their royal Majesties gracious clemency and pardon and we doe hereby further declare, publish and make knowne for the sattisfaction of the whole Province in Generall and as a farther encouragement to reduce them to a right understanding and a due sense of their duty and obedience to their Majesties that in order to settle the Govern^t of this Province into some due method and establish the piece and quiet thereof so far forth as may be until such time as their Majestie's royal pleasure therein shall be farther signified and made knowne to us. We are now in their Majesties name assembled and met together and for no other intent and purpose whatsoever as we have always pretended and declared and that the greatest care and caution imaginable has and shall be used to effect the same with as little cost and charge to the Province as possibly may be as will appear by the publique leavy this year the least we dare affirme that ever any Assembly yet produced, not exceeding, according to calculation five and twenty pounds of tobacco per poll or thereabouts, although the same hath advanced the one moyetie at least by means of the refractory Omission of the said County as aforesaid for whose representatives only this House hath so long waited in vain and therefore we proceed boldly to vindicate, justifie & maintain our lawfull, necessary and just convention at this time and legall proceedings therein against all opposers gainsayers and enemies thereunto whatsoever whome together with their adherents, aiders and abettors that shall notwithstanding still hereafter persist, continue and abide obstinate refractory and disobedient to their sacred Majesties and this present Authority under them we doe hereby proclaime, publish and pronounce Rebels and Traytors to our said Sovereigne Lord and Lady King William and Queen Mary and as such to be deemed, reputed & taken and to be dealt with and proceeded against accordingly and we doe hereby order & appoynt To publishe and make Proclamation hereof in the most publick and convenient places in the same County whereof he is not to fail at his perill. Given at the Citty at S^t Maries the second day of September in the first year of their Maj^{ties} reigne Ann: Dom: (89.).

God save King William and
Queen Mary.

(Endorsed)
Maryland

2. Sept^r 1689.

Proclamation concerning Captain Hill.

Rec^d from my Lord Baltemore
31. Dec^r 89.

The Address of the Representatives of their Majesties P. R. O.
Protestant Subjects in the Province of Maryland assembled.

To the Kings most excellent Majestie

Whereas we are with all humility fully assured that the benefitt of your Majestie's glorious undertakings, and blessed success for the Protestant Religion, and civill rights and liberties of your Subjects, was graciously intended to be extensive as well to this remote part, as to all others of your Majestie's Territorys and Countreys, being thereby influenced to express our utmost zeal and endeavors for your Majestie's service and the Protestant Religion, here of late notoriously opposed, and your Majestie's sovereign dominion and Right to this your Majestie's Province of Maryland invaded and undermined by our late Popish Governors their Agents and Complices.

Wee your Majestie's most dutifull and loyall Subjects of the said Province being assembled as the Representative Body of the same; doe humbly pray your Majestie's gracious consideration of the great grievances and expressions wee have long layne under, lately represented to your Majestie and directed to your Majestie's principall Secretary of State, in a certain Declaration from the Commanders, Officers and Gentlemen in Armes for your Majesty's service and defence of the Protestant Religion.

And that your Majesty would be graciously pleased in such waies and methods as to your Princely wisdom shall seem meete, to appoynt such a deliverance to your suffering People, whereby for the future, our religion, rights and libertyes may be secured under a Protestant Government by your gracious direction specially to be appointed.

Wee will waite with all becomeing duty and loyalty your Majestie's pleasure herein, and will in the mean time (to the hazard of our lives & fortunes) persevere and continue to vindicate & defend your Majestie's right and soveraigne Dominion over this Province, the Protestant Religion and the Civil Rights and libertys of your Majestie's Subjects here against all manner of attempts and oppositions whatsoever, Hereby unanimously declaring that as we have a full sense of the blessings of heaven upon your Majestie's generous undertakings, soe we will endeavour to express our due gratitude for the same as becomes Professors of the best of Religions, and Subjects to the best of Princes.

Maryland—dated in the Assembly
sitting at the State House in the City of
St Maryes the 4th day of Sept^r 1689
in the first year of their Majesties' reign.

P. R. O.

(Endorsed)

Maryland

4th Sept^r 1689.

Address of the Assembly to the King

Rec^d: 31 Dec^r 1689.

[Reports from the Committee of Secresy.
dated 4th Sept^r 1689.]

The Comitty of Secresy appoynted by the Present Assembly the representative Body of this Province doe make this Report as followeth—viz^t:

We have Diligently, faithfully and with all due circumspection made inquisition into the severall affairs and concerns comitted to our care for discovering the truth thereof & we finde First that the late popish Governors have contrived, conspired and designed by several villanous practises and machinations to betray their Majestie's Protestant Subjects of this Province to the French, Northern and other Indians and that there hath been and still is eminent danger of our lives liberties and estates by the malitious endeavours and combinations of the s^d Governors with the Indians and papists to assist in our destruction and the subversion of our religion and we alsoe finde by the informations, examinations, evidences and depositions by us taken that the late Governors did prorogue & obstruct the last Assembly from meeting least the truth of their unjust contrivances and wicked designs should be made manifest and we the Committee aforesaid doe also discover and apparently finde the traiterous undertakeings of the said Governors in their renuntiation, disowning and denying the right, title and sovereignty of King William & Queen Mary to the Crowne of England and its dominions, the verity of the above particulars are to be further proved by other numerous Circumstances and evidences that are now in custody of the said Committee for their Majestie's service.

Vera Copia

J^{no} Skipper Clk:

(Endorsed)

Maryland

4. Sept: 1689.

Report of the Committee of Safety.

An Ordinance for regulating of Officers Military and Civill P. R. O.
and other necessary affairs for the present settlement of
this Province.

Whereas this present Generall Assembly having taken into their most serious and deliberate consideration the great necessity of the settlement of all affairs military and civill within this Province finding themselves obliged by their allegiance and duty to our soveraigne Lord and Lady the King and Queens most excellent Majesty King William and Queen Mary and out of the great care they have for the religion, lives, libertyes and propertyes of their Majestie's Protestant Subjects of this Province Have ordained constituted and enacted and doe hereby ordain constitute and enact for the present settlem^t of affairs in the said Province till their Majesties' further pleasure be made knowne, these following respective regulations together with the powers and authorityes hereby given and granted to the Officers and persons hereafter by this present Ordinance appointed

That for regulating the affairs of the Militia in S^t Marys County

Capt: John Coode Commander in chiefe who is by this Ordinance impowered to raise and command a troop of horse as he shall see convenient, Major John Campbell for S^t Georges Poplar Hill, Newtowne S^t Clements bay hundred, Capt: Edward Greenhald for S^t Marys, S^t James, S^t Inegoes and S^t Michaels hundreds, Capt. Thomas Attaway for S^t Clements hundred, Capt: John Dent for Chaptico hundred, M^r Nehemiah Blackistone Capt: of a troope of horse for S^t Georges, Poplar hill Newtowne and the other hundreds on the east side of S^t Marys river in the said County and the said Troope of horse to consist of fifty horsemen.

That for regulating the affairs civill in S^t Marys County M^r Kenelme Cheseldyn, M^r John Dent, Capt: John Coode, M^r Nehemiah Blackistone Justices of the Quorum Major John Camball, M^r Richard Clouds, M^r John Llewelin, M^r John Watson and M^r Edward Greenhalgh Justices, M^r John Watson, M^r Elias Beech and M^r Nehemiah Blackistone Coroners, M^r Robert Carse Sheriffe and M^r William Taylard Clerk

That for regulating the affairs of the Militia in Kent County M^r John Hinson Capt: of a foot Company in Easterneck and Swann Creeke hundred, M^r Cornelius Comegis Capt: of a Company of foot in Chester & Langfords bay hundred, Capt. W^m Lawrence Comp^a foote upon Kent Island.

That for regulating the affairs Civill in Kent County. M^r W^m Frisby, M^r John Hinson, M^r Cornelius Comegis, M^r Hans Hanson Justices of the Quorum, M^r Daniel Norris, M^r W^m Harris, M^r Simon Wilmore, M^r Thomas Osbourne, M^r John

P. R. O. Coppage Justices, M^r Simon Wilmore, and M^r Richard Jones Coroners, M^r Edward Sweatnam Sheriffe, and M^r Michael Miller Clerke.

That for regulating Affairs of the Militia in Ann Arrundell County.

M^r Edward Darcy Major of Horse, M^r Nicholas Gasaway Major of foote, M^r Nicholas Greenberry Capt: of foote in the room of Capt: Richard Hill, M^r Edward Burgess Capt: of foote, M^r Henry Hunslap Capt: of foote, M^r Henry Ridgeley Capt: of foote.

That for regulating the affairs Civill in Ann Arrundell County

Major Nicholas Gassaway, Major Edward Darcy, Capt. Nicholas Greenberry, M^r John Hamond, M^r Thomas Tench Justices of the Quorum, M^r Edward Burgess, M^r Henry Ridgeley, M^r Henry Cunstable, M^r Richard Beard, M^r Thomas Knighton, M^r James Ellis, M^r John Bennett Justices, M^r John Bennett and M^r Thomas Tench Coroners, M^r Henry Hanslap sheriffe, and M^r Henry Bonner Clerk.

For regulating the affairs of the Militia in
Calvert County.

M^r Henry Jowles Coll^o M^r Ninian Beale Major M^r Walter Smith Capt. of a Company of foote, M^r Henry Mitchell Capt: of a Company of foot to be raised on the Clifts in the roome of Capt. Richard Ladd, M^r Thomas Tasker, Capt: of a Company of foote in the roome of Richard Smith Junior, M^r John Payne Capt: of a Company of foote to be raised betweene M^r Henry Brents house in Pattuxent river and the mouth of the said river, M^r Samuel Bourne Capt: of a Troope of horse as formerly.

That for regulating the affairs civill in
Calvert County.

Coll^o Henry Jowles, Capt: Samuel Bourne, M^r John Griggs, Capt: Richard Ladd Justices of the Quorum, M^r Francis Hutchins, M^r Geo: Lingham, M^r Thomas Tasker, M^r Thomas Brooke, M^r Thomas Tasker, M^r Francis Collier, M^r Thomas Greenefield, M^r James Keech, M^r John Hans, and M^r Thomas Gant Justices, M^r Samuel Holdswirth and M^r Thomas Gant Coroners, M^r Andrew Abington Sheriffe and M^r Henry Fearnly Clarke.

That for regulating the affairs of the Militia in
Charles County

M^r Humphrey Warren Coll^o of foot in the roome of Col: Edward Pye, M^r James Smallwood Major of foot in the roome

of Major John Wheeler, M^r W^m Barton Capt: of a foot Com-^{P. R. O.}
pany as formerly, M^r Philip Hopkins Capt: of foote of Major
Wheeler's Company, M^r John Addison Capt: of foote in the
upper parts of Charles County and Newscotland, M^r John
Courte Capt: of horse in the roome of Capt: Randolph Beall.

That for regulating the affairs Civill in
Charles County.

M^r John Stone, Capt: W^m Barton, Col: Humphrey Warren,
M^r W^m Hatton Justices of the Quorum, M^r Henry Hawkins,
M^r Randolph Hinson, M^r John Courte, M^r John Addison,
Major James Smallwood, and M^r William Hawton Justices,
M^r John Stone, and Col: Humprey Warren Coroners, M^r Gil-
bert Clarke Sheriffe, and M^r Richard Boughton Clarke.

That for regulating the affairs of the Militia in
Baltemore County.

M^r Thomas Long Major in the roome of Col: Wells, M^r
Henry Johnson Capt: of the Company of foote lately com-
manded by Col. Wells, M^r John Thomas, Capt: of a foote
Company in Petapsco river, M^r Tho: Richardson Captain of a
troope of horse.

That for the regulating the affairs civill in
Baltemore County.

Capt: Henry Johnson, M^r Edward Beadle, M^r Maske Rich-
ardson Justices of the Quorum, M^r Francis Watkins, M^r John
Wallstone, M^r George Goldsmith, M^r George Ashman, M^r
Thomas Staley, M^r Christopher Gest, M^r John Thomas Jus-
tices, M^r Thomas Hedge, M^r Francis Watkins Coroners, Major
Thomas Long Sheriffe and M^r Thomas Hedge Clarke.

That for regulating the affairs of the Militia
in Talbott County.

M^r William Combes Major of the horse, M^r Thomas Harman
Capt: of a troope of horse, M^r John Stanley Capt: of a troope
of horse, M^r John Davis Capt: of a foot Company in the roome
of M^r James Murphy, M^r W^m Becksley Capt: of a foote Com-
pany in the roome of Capt: George Cowley, M^r Henry Alex-
ander Capt: of a foot Company continued as formerly, M^r W^m
Crump Capt: of a foot Company continued as formerly and
M^r Richard Sweatnam Capt. of a foote Company in the roome
of Capt: Kennimon.

That for regulating the Affairs Civill in
Talbott County.

M^r Edward Mann, M^r William Combes, M^r George Ro-
botham, M^r Thomas Smithson Justices of the Quorum, M^r

P. R. O. James Smith, M^r Henry Coursey junior, M^r George Robins, M^r William Hinney, M^r Michael Turbute, M^r Thomas Fisher, M^r James Sedgewick Justices, M^r George Robins and Nicholas Lowe Coroners M^r Samuel Withers Sheriffe and M^r Nicholas Lowe Clarke.

That for the regulating the Affairs in the Militia
in Somerset County

M^r William Colebourne Col: of foote, M^r David Browne Capt: of a Company of foote, M^r Charles Ratcliffe Capt. of a Company of foote in the roome of Capt: Osbourne deceased, M^r Robert King Capt: of a Company of foot in the roome of Captain Smith, M^r John Winder Capt: of a troope of horse.

That for regulating the Affairs Civill in
Somerset County

Coll^o: William Colebourne, Capt: David Browne, M^r Francis Jenkins, Capt: John Winder, M^r William Brewerton and M^r Robert King Justices of the Quorum, M^r James Dasheete, M^r Roger Woolfred, M^r Thomas Newball, M^r James Round, M^r Samuel Hopkins, M^r Edmund Howard, M^r Stephen Luffe, and M^r Thomas Jones Justices, Capt: David Browne, M^r William Brewerton, M^r James Round and M^r Edw^d Howard Coroners, Capt: William Whittington Sheriffe and M^r Edmund Beauchamp Clarke.

That for regulating the Affaires of the Militia in
Dorchester County

M^r Henry Tripp Major of the horse in the roome of M^r Thomas Tayler, M^r Thomas Enolds Captain of a foote Company in the place of Capt: Tripp, M^r John Muket Capt: of a foote Company in the roome of M^r Anthony Dawson.

That for regulating the Affairs Civill in
Dorchester County

Major Henry Tripp, Doctor John Brooke, M^r Charles Hutchins, M^r John Woodward Justices of the Quorum, M^r Henry Hooper, M^r John Rudsen, M^r Jacob Lokeman, Justices, M^r John Woodward Coroner, M^r Edward Pindar Sheriffe and M^r Tho: Pattison Clarke.

That for regulating the Affairs of the Militia in
Cecill County

M^r Charles James Capt: of a troope of horse to be raised there—M^r William Peace Capt: of a foote Company M^r Ebenezer Blackistone Capt: of a foote Company in Worten and South Sassafras hundred

That for regulating the affairs civill in
Cecill County

P. R. O.

Coll^o: S^t Ledger Codd, M^r William Dare, M^r Edward Jones, M^r Casparus Harman Justices of the Quorum, M^r George Warner, M^r Gideon Gundry, M^r Nicholas Allum, M^r William Ward, M^r Edward Beck, M^r Mathias Vanderheyden, M^r John James Justices, M^r Edward Jones and M^r John James Coroners, Capt: William Pearce Sheriffe and M^r John Thompson Clarke.

That for regulating the affairs Civill in the Citty of
S^t Marys.

M^r Kenelm Cheseldyne Recorder, M^r John Llewellyn M^r W^m Blackistone, M^r John Walsen, M^r Tho: Waughop, M^r Robert Mason, Aldermen M^r Elias Beech, M^r Henry Denton, M^r Thomas Beale, M^r Joseph Sumpte, M^r Charles Evans, M^r Edward Greenhalgh, M^r W^m Aysquith and M^r Philip Clark Common Councillmen: M^r W^m Taylarde Clarke.

All which respective Commanders or Officers military as aforesaid in this Province are hereby fully authorized and impowered by the authority afores^d to list train and exercise in their respective divisions their said respective Companys in the art of warr or military discipline as have been formerly accustomed in this Province or as by law they ought to doe, together with full power to suppress all homebred insurrections or foreigne invasions against their Majesties Crowne and Dignity and the safety and welfare of the Inhabitants. Who are likewise hereby authorized and impowred to^r commissionate their respective under Officers proper and necessary to their respective Companys and Divisions—As alsoe all the respective civill Officers in this Ordinance mentioned that is to say all Comissioners, Justices of the peace, Coroners Sheriffes and Clerkes in and for their respective Countys in kind by this present Ordinance already mentioned are hereby fully authorized and impowered to execute their respective authorityes and trust hereby confirmed given and granted as have been formerly accustomed by such Officers aforesaid, or as such Officers ought or are bound to doe by the lawes of England or the lawes of this Province, The Justices Comissioners and Clerke in the said respective Countys hereby appointed being to be summoned by the Sheriffs of the said respective Countys to the next ensueing County Court there to be sworne in open Court according to former custom the name stile and title of King William and Queen Mary onely used instead of the Lord Baltemore.

P. R. O. And Whereas it is thought convenient for the encouragement of trade and dispatch of shipping that naval Officers be appointed in convenient districts in this Province Be it Ordained & enacted by this present Generall Assembly and the authority of the same that Capt: Samuel Bourne be and is hereby appointed naval Officer for Patuxent river and the bay and Capt: John Coode for Potomack River and Mr Robert King for Somerset County in this Province to have and to hold the said respective Offices as aforesaid Who are to perform the respective trusts belonging to the said Offices as such navall Officers have formerly done or by law ought to doe.

And that there may be noe obstructions in proceedings about the Probat of Wills and the affairs of Adm^rcōn Be it Ordained and enacted by the authority afores^d that the respective Commissioners and Officers aforesaid in their respective County Courts be and are hereby empowered and authorized to take the Probat of Wills and grant letters of Administration with good security according to law, and to keep a true & perfect record of the same among the Records of the respective County Courts aforesaid—And as to other matters actions or process in the said Courts undetermined they are to be continued and proceeded upon according to their first comēcement and originall process at the next Court according to Act of Assembly And that noe in such proceedings shall be sufficient to reverse any Judgement in either prov^l or County Courts nor shall there be any advantage taken thereby to the prejudice or detriment of any person whatsoever anything in this present Ordinance or any other law to the Contrary in anywise notwithstanding

And Be it likewise ordained constituted & enacted by the authority aforesaid that the provinciall Court of this Province and all other matters, actions or process therein are to be and continue in the same state manner and condition according to their respective natures as formerly left upon the Records of the said Court as they last adjourned or as they now stand soe to be and continue as aforesaid untill their Majesties further pleasure be knowne in relation to this Province, and the books records and papers of the said Provinciall Court or belonging to the respective publick Offices att S^t Marys be and are hereby committed to the care Custody and charge of Mr John Llewelin who is to look after and preserve the same to the best of his ability, for which he is to keep a man there at the publick charge of this Province which shall be allowed in the publick leavy.

And Be it likewise ordained constituted and enacted by the authority aforesaid, that the temporary laws of this Province be and are hereby continued and in force according to their

respective natures & date, and as by law they ought as if this P. R. O. present Generall Convention had never happened.

And be it likewise Ordained by the authority afores^d that M^r Kenelm Cheseldyn, Capt: John Coode, M^r Nehemiah Blackistone, Coll^o Henry Jowles, M^r Gilbert Clark, M^r John Addison and M^r John Courts or any four of them together with John Llewelin or William Taylard their Clerk be and are hereby constituted and appointed a Committee for the whole Province for the allotting, laying and assessing the publick leavy of this Province to meete and conveene at Charles Towne in Charles County on Munday the seaventh day of October next for that purpose to which end the respective Sheriffs in this Province are to bring in their lists of taxables at the time & place by this present Ordinance appointed, Provided Nevertheless and be it hereby ordained by the authority aforesaid that nothing in this present Ordinance shall be deemed accepted understood or construed to give or continue the former usuall title of the Lord Baltemore hitherto used in this Province in any publick Instrument doings or proceedings whatsoever but instead there of the names royall stile and title of King William and Queen Mary be for the future made use of and noe other. Not hereby willing and intending to judge or determine the right or title the said L^d Baltemore hath or formerly had to the Proprietaryship of this Province, but that the same be left to the Royall pleasure of His Majesty.

That tenn thousand pounds of tobacco be raised and lodged in the hands of Capt: Coode, Coll: Jowles and Coll: Warren as a gratuity from this House to the souldiers late in Armes under their comānd viz^t four thousand pounds of Tobacco to Captain Coode, three thousand pounds of tobacco to Colonel Jowles, and thousand to Coll: Warren for the souldiers to drink their Majesties health, together alsoe with the thanks of this House for their good service, more particularly to Capt: Coode, M^r Blackistone, Col: Jowles and other the Gentlemen therein more principally concerned.

By the Assembly, Sept^r 4th 1689.

Passed & assented to in this House

Signed p

p John Llewelin

Clk. of the Assembly.

Vera Copia.

(Endorsed)

Maryland 4 Sept^r 1689.

Ordinance of the Assembly for regulating Officers.

Rec^d from the Earl of Shrewsbury

31. Dec^r 1689.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY
OF MARYLAND,

At a session held at St. Mary's, May 10-June 9, 1692.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

LIONEL COPLEY,
Royal Governor.

THE UPPER HOUSE OF ASSEMBLY.

Maryland Ss^t

At An Assembly held at the City of St Maries and Begun the Tenth Day of May Anno Domini 1692 In the fourth year of the Reign of Our Sovereign Lord and Lady King William and Queen Mary of England Scotland France and Ireland Defenders of the faith &^c and there Continued till the 9th Day of June following where Appeared in the Council Chamber Viz^t

U. H. J.
P. 595

His Excellency Lionell Copley Esq^r Cap^t General & Chief Governor

The honourable	{	Coll Henry Jowles	{	Coll David Browne	}
		Coll Nehemiah Blackiston		M ^r Thomas Tench	
		Coll George Robotham		Captain John Addison	
		Coll Nicholas Greenberry			

of their Majestys Council

John LLewellin Clerk.

Notice given to the house of Delegates and Deputies by the Freemen of the Province Elected and Chosen to Serve for them in this Present Assembly and now Conveened and mett together, That his Excellency the Governor and his Council was now ready to receive them in the Council Chamber;

They accordingly present themselves in a Body to his Excellency, who in the first place produces, And Ordered to be read to them his Commission under the great seal for the Government of this Province and then Declares himself to them in the Words following Viz^t

Gentlemen

When the King upon your Address to him to have a Protestant Governor, had Signified his Gracious Intentions of Sending me amongst you I presume you are Sensible of the restless Endeavours of some Persons to Obstruct it. The difficulties and hazards I run through did not at all Daunt me from hastening to you; proposeing Chiefly to myself the Satisfaction of Seeing a foundation laid for a lasting Peace and happiness to you and your Posteritys, the making of wholesome Laws, and laying aside all heats and Animositities amongst you that happened of late, will go far towards it, This I know will be very Acceptable to their Majestys, who are Eminent Examples of Christian and Peaceable Tempers; Amongst the Laws that you are to make I must recommend

U. H. J. to you this Particular which is in my Instructions to witt, The raising further Supplys for the Support of the Governor for the time being and the Defraying the Necessary Charges of the Government, I conceive it will be an Advantage to the Country as well as Satisfaction to myself to know what you intend for me to Support the honour of the Post the King hath placed me in and to reduce that and also the Allowances to the Gentlemen of the Council and Assembly to a certain Fund; will be the best way that we may measure Our Expences, with what you Settle I hope you will come Short of none of Our Neighbouring Colonies in any thing of this Nature.

p. 569 Gentlemen

Be pleased to go and Choose your Speaker and to take care that none be Admitted to Sitt amongst you but such as shall take the Oaths and be Qualified by Law I shall Detain you no longer not Doubting your readiness therein to do every thing that may Conduce to the honour of the Crown the Safety and welfare of your Country.

They are Dismissed and go together to Choose their Speaker

Ordered that a Copy of his Excellencys Speech be Transmitted and sent to the house, which was accordingly done and sent by Mr William Taylard whom his Excell^{cy} did also recommend to them for their Clerk.

They come and present Mr Kenelm Chiseldyne for their Speaker who (after some discourse to disable himself and render him incapable to perform so great a Charge) is approved of and Allowed by his Excellency; He then in the name of the house prays freedom and Protection of the Persons and Attendants from Restraint &c. free liberty of Speech in their house with due reverence and Moderation and upon all Occasions free Access to his Excellency and for any Imperfections in himself desires that it may not be imputed to the house but favourably be Construed and Excused in him, Which being assured them the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy is tendred unto them and by them Severally taken as fol Viz^t

To Mr Kenelm Cheseldyne Speaker, Coll S^t Leiger Codd, Mr William Dare Captain John Hammond, Mr Henry Ridgley, Mr James Saunders, Mr Henry Hawkins Mr William Finney, Mr John Huet, Mr John Watson, Mr Hugh Sherwood, Mr Robert Mason Captain William Whittington Mr Francis Jenkins, Mr Dorsey Mr Edward Boothby Mr Thomas Ennalls,

Captain Philip Hoskins, Mr Samuel Wheeler, Mr Robert U. H. J. Smith, Mr Thomas Tasker, Captain John Bigger, Mr William Harris, Mr George Ashman, Captain Henry Mitchell, Major Henry Trippe Mr Thomas Staley Mr Philip Clark, Mr Hance Hanson Mr Elias King, Doctor John Brooke, Mr Edward Winn, Mr Edward Jones Mr Thomas Everdine one of the Delegates for Somerset and Mr John Edmundson for Talbot County being Quakers refuse to take the Oaths

Adjourn till to Morrow Morning 10 a Clock

May the 11th 1692

Mett in Council Chamber Viz^t

The honourable	{	Coll Nehemiah Blackiston	{	Mr Thomas Tench	}
		Coll George Robotham		Cap ^t John Addison	
		Coll Charles Hutchins		Cap ^t John Courts	
		Coll David Browne		Mr Thomas Brooke	

Was then produced and Ordered to be read the following paper or Message from his Excellency Viz^t

May the 11th 1692

Gentlemen

Being myself at present under some indisposition so that I can not be personally present with you, I have thought fitt to appoint Coll Blackiston to preside and be Speaker of your house in this Juncture & during this Sessions upon all Occasions of the like nature, wherefore you are desired to receive and Admitt him accordingly at the request of—

Gentlemen Your Servant=L Copley

To the Honble the Members of the Upper house of Assembly these

Coll Blackiston accordingly Admitted and takes the Chair; Severall Members of the house of Assembly, yesterday absent now came and tendered themselves by Order from the house to take the Oaths Viz^t

Mr Edward Pinder, Mr Thomas Greenfield, Mr James Smallwood, and Mr W^m Dent who accordingly had Administred unto them, and took the said Oaths, they desire a list of the names of those Members that have taken the Oaths yesterday and now may be given them for the Cognizance of their house which was likewise done and they Dismissed

Adjourn for a hour

Mett again as before Except Captain Addison & Cap^t Courts. present more Coll Henry Jowles.

Adjourn for two hours

Mett again and nothing Offering from the house

Adjourn till to Morrow Morning 10 a Clock

U. H. J. May the 12th 1692 Mett in Council Chamber Viz^t

The honourable	{	Coll Blackiston	{	M ^r Tench	}
		Coll Robotham		Cap ^t Addison	
		Coll Greenbury		Cap ^t Courts	
		Coll Hutchins		M ^r Brooke	
		Coll Browne			

A Message from the house by M^r Thomas Greenfield & Coll S^t Leger Cood Viz^t

By the house of Assembly 12th May 1692.

This house has been Moved by severall Members whose Consciences will not permitt them to Comply with the form of the Oaths of Allegiance and Abhorrence; as it is taken by their Majestys other Subjects, and desire to Serve their Majestys and their Countrys in the trust reposed in them

This house is very desirious to have the Assistance of all the Members of the Same in those weighty affairs now before them and also of the aforesaid Members, if any Expedient can be found out, in which case the usuall Declaration made by persons so Principled will be Satisfactory to the house, of their Loyalty to their Majestys and faithfullness to their Country, and the Advice of their Majestys honourable Council is desired in the Premisses.

Signed p^r Order Henry Denton Cl of Assembly.

Another Message from the Lower house by M^r William Dent, M^r Robert Smith, Major Henry Tripp, and Captain William Whittington which they deliver in writing as foll: Viz^t

By the house of Assembly 11th May 1692.

This house has Appointed M^r William Dent M^r Philip Clark M^r Robert Smith Major Henry Tripp, M^r Thomas Greenfield Captain William Whittington and M^r Edward Boothby to be a Committee for Examination and Inspection of the Body of the Laws of this Province and do desire that some Members of the Council may be Joined with them herein.

Signed p^r Order Henry Denton Cl Assembly.

p. 598 Another Message by M^r Thomas Tasker, and M^r Henry Hawkins which they Deliver in writing and are acquainted that this Board intends to Adjourn themselves to M^r Lynes house, from whence they may Expect an answer to their Severall Messages this Day received the last being as follows Viz^t

By the house of Assembly May the 11th 1692

This house has Ordered and Confined themselves to certain hours of Meeting Viz^t To meet at 9 a Clock in the morning,

and so to Continue till four in the afternoon they have thought U. H. J.
fitt to Intimate the Same to your honours desireing that you
would be pleased to Signifie unto this house which will be the
Convenientest times to wait upon your honours about the
Business of the Country now in hand that matters may the
Easier be Communicated.

Signed p^r Order Henry Denton Cl of Assembly

Coll Jowles comes to the Board

Adjourn to M^r Lynes's

att M^r Lynes's house the Council met present as before

M^r Edward Winn their Majestys Attorney Generall came
from the house with Major John Campbell one of the Mem-
bers lately come to the house whom he desires may have the
Oaths Administred to him by this Honourable Board which
was accordingly done; He also delivers to the Board a Peti-
tion preferred to the house by Severall Masters of Ships and
Vessels now ready to Sail if permitted Viz^t

To the Honourable Gentlemen of the Lower house of
Assembly

The Humble Petition of Severall Commanders of Ships
now Riding in Patuxent River.

Humbly Sheweth

That your Petitioners being now ready to set sail do under-
stand that Captain John Brown and Captain Peregrine Brown,
have their Majestys Protection from all Embargoes and Con-
sequently do intend very Speedily to sail That their Ships
being of force, and Sufficient together with your Petitioners
Ships to make an indifferent good Fleet, being at least twenty
sail besides the said Brown That your Petitioners lye at vast
Expence both for Provisions and Mens Wages and if forced
to stay till the last fleet goes, it will prove their utter Ruin,
and Probably not be in a Condition to go either through want
of Provisions or Men who Daily threaten (if forced to stay for
the last fleet) to desert their Ships through the apprehension
they have of Seasoning in the Country.

Wherefore your Petitioners humbly pray, That this honour-
able house (in tender Consideration of the Premisses) will be
pleased to make it their request to his Excellency the Gov-
ernor, that your Petitioners may be admitted to Sail along
with the said Brownes whereby the many Inconveniencies that
otherwise must necessarily fall upon your Petitioners their
Men and Ships may be prevented

and they will ever pray &c.

Which Petition was Subscribed as follows Viz^t

U. H. J. To his Excell^y Lionell Copley Esq^r Cap^t Gen^l and Governor of this Province.

p. 599 May it please your Excellency

The foregoing Petition has been read in this house, who are generally Sensible that the greatest part thereof is true and the Motives therein laid down very Pressing and therefore do humbly pray your Excellency on their Behalfts to give such grant to the same as in your wisdom you shall see Convenient

Signed p^r Order Henry Denton Cl Assembly.

Upon reading and due Consideration had of the foregoing Petition and the Vote of the house thereon it was here Considered that most or Several of the said Ships had already lain a very Considerable time in the Country.

That time of the year is now Approaching very fattall to Shipping and their Men in danger of Seasoning, whereby their Voyages may be overthrown to the great Damage of the Merchant the Dimution of their Majestys Revenues and loss of the Shipping. That provisions is now very Extraordinary Scarce and hardly to be got upon any terms in the Country and most or all of the said Ships very barely provided Some hardly Sufficient to carry them home if not permitted forthwith to sail and have a favourable Passage: That the main design of the Embargo is already Vacated Severall Ships having been permitted to depart and are gone from Virginia and the time of the Embargo Prolonged at the Arbitrary Will and Pleasure of the Men of Warr without any Orders from their Majestys known to this Government.

For these reasons and that there may be an Opportunity of Sending Intelligence to England of Occurrences here, as also that there may not want a Supply of Necessarys next year by the return of the said Ships hither and many other Motives Inducing; It is advised and Resolved that it is highly Necessary to permitt such Ships (as are ready) to depart under the Convoy and Conduct of Peregrine and John Brownes Ships of good force and Countenance and that the same be humbly Recommended to his Excellency for his Licence to take off the said Embargo & present and Suffer the said Ships to depart

By his Excellency the Governor and Council in Assembly
May the 12th 1692.

The severall Messages this Day received from the house, the first by M^r Greenfield and M^r Codd, the second by M^r Dent and M^r Smith, Major Tripp & M^r Whittington, and the last by M^r Tasker and M^r Hawkins, have passed the Mature

and Deliberate Consideration of this Board, and in Answer U. H. J. thereunto they return Severally and in Order as followeth Viz^t

1 That the Board is very desirous to Concurr with the house in all things reasonable and Safe for them to do, especially should be very Glad to give that Satisfaction both to the house and the persons themselves principally Concerned (who for tenderness of Conscience cannot Comply with the Law in taking the Oaths prescribed in such formality as is required) but after all their endeavours and Strict Scrutiny thereunto cannot find out any Expedient for that purpose without open Violation of the Laws of England which is not Consistant with nor in any wise to be Admitted of according to our present Constitution, also wholly Repugnant to the very Express words of his Excellencys Commission and his directions in his Speech at the opening of this Assembly now Recommended to the Consideration of the house for their further Satisfaction p. 600 in that Point

2 This Board is willing and ready to Join some of their Members with some others of their house to inspect the Body of the Laws as desired, but conceive it altogether necessary in the first place to Consider matters of greater Import weight and moment for the quiet Peace and Settlement of this Province and Necessarily leading to the making of wholesome Laws for the good Government thereof such as Recognizeing the undoubted Right and Sovereignty of their Majestys in and to this Province; This present Meeting a Legall and duely Qualified Assembly to Enact and make such Laws under such an Authority; And then an Act of Indemnity, and some measures for the Confirmation and Settling of all Matters Judicial and otherwise Since the Late Revolution as shall by this Assembly be thought fitt to be presented to his Excell^y and by him to their Majestys for their Approbation and Assent, These things and Some Others recommended by his Excellency in his Speech to the Consideration of this Assembly premised and Considered; This Board as before will readily Join in Committee with the house in the Matter desired or what else may be reasonably Offerred to them

3 This Board shall and will also be ready to receive any Message or Conferr with the house about the Emergent Affairs of the Province whensoever the same shall be thought Convenient or desired by the house.

Signed p^r Order J LLeuellin Clerk.

His Excellency comes to the Board and hath read to him the Severall foregoing Messages of the house, and the above Answer of this Board thereunto which is Approved of and is sent down to the house by M^r Thomas Brooke.

U. H. J. Information being given to the Board that Peregrine Brown Master of one of the Ships now ready to Sail had uttered Several Reproachfull and disrespectfull Speeches against the Government. And that both he and his Brother John Brown with Others the Masters of Ships now bound out would go away without Clearing and pay no Duty, unless they could see the Kings Possitive Orders so to do, And it Appearing that both the said Browns with Severall others the Masters afores^d had in Contempt to this Government and the Authority thereof Peremporarily refused to Comply with their Dutys in paying and Discharging of their Majesties Dues for the lading of their respective Ships, It was Ordered that both the said Browns being now in Town be forthwith sent for to Answer the premisses to this Board.

Being sent they both make their Appearance and are charged with their Contempt aforesaid which they deny and pray that they may be dispatched and permitted to Sail being all Laden and ready to go.

Upon their Submission they are at present Excused from further Trouble or Charge, but are required to give Bond with Good Security for the Answering and paying as well the Duties of their said Ships, this present year as also their Arrears due for the same the last Voyage hither which they willingly Submitt to and say they will Comply with.

p. 601 The Petition Exhibited by the Severall Masters of Ships praying Leave to be cleared and permitted to Sail with the Recommendation of the house and the Opinion of this Board thereon is humbly presented to his Excellencys Consideration who approves thereof and accordingly Consents to and Orders the Clearing of the said Ships.

Adjourn till to Morrow Morning 10 a Clock

May 13th 1692

Mett in the Council Chamber Viz^t

The honourable	{	Coll Nehemiah Blackistone	{	Coll David Browne	}
		Coll Henry Jowles		M ^r Thomas Tench	
		Coll George Robotham		Captain John Addison	
		Coll Nicholas Greenberry		Captain John Courts	
		Coll Charles Hutchins		M ^r Thomas Brooke	

Upon the Report of some Mischiefs and Violence done to some Inhabitants by some strange Indians in the Upper parts of Charles County, Captain John Addison now present is desired to give the Board an Account thereof, or what he knoweth concerning the Same; which accordingly he did in writing as follows Viz^t

Elizabeth Kersleys relation of her usage by some Indians U. H. J.
unknown to her the said Elizabeth who was going from her
father in Charles Carters house to William Watsons with her
Child in her Arms, the house being half a Mile distant about
midway betwixt the said Charles Carters and said Watsons,
the above Indians Starting out of the Lapp of a fallen Tree
where they lay hid rushed upon her, tore her Child out of her
Arms, gave her three knocks upon the head flead the Skin of
her head gave her eight wounds in her body Stript her naked
and left her for Dead, this Relation was given to me by the
above named Elizabeth on Wednesday being the 27th of
April 1692 John Addison.

There was found by Captain Richard Brightwell and his
Men a Mare Belonging to Richard Thompson with an Indian
Arrow Shot into her heart and dead near Charles Carters
house about three days after the date above which is Supposed
to be done by the said Indians.

There was a Stick painted with Severall Men and Women
upon it and another like an Indian Arrow Stuck in the Path
near where this thing was Acted upon the above Elizabeth
Kersley.

Coll Blackistone declares that much about the time the
above Mischief was done there was seen upon Clements Island
a Choptico Indian named Tom ; with Bow and arrows and in
a Day or two after a young Mare of the said Blackistons was
found there shott with an Arrow into the Kidneys whereupon
he sent to the King of Chaptico and acquainted him with what
was done, and plainly charged the said Indian Tom with the
fact which was so home and so many pregnant Circumstances
relating thereunto in a manner proving the same the Indian
himself did not well know how to withstand it but after some
Pausing the King and his great Men together with the said
Indian himself promised to make Satisfaction, But neither the
said Indian nor any other of them ever yet came to make
Good the Same, and Soon after that the said Blackiston had
another Mare killed, also some Sheep killed with Arrows and
some taken away to the number of Seven or Eight in all, Coll
Blackiston produced a paper Containing the Information of
one Jeoffrey Lile a Mallota as follows Viz^t

The Deposition of Jeoffrey the Mallota 1 May 1692. p. 602

That on Friday last about 3 or 4 a Clock in the afternoon
as (I was weeding of Corn) I heard a Gun go off on the South
Side of the Island upon which I saw the Cattle running to and
fro, I went to see what might the Occasion be, and coming

U. H. J. towards the sound of the Gun, I saw three Indians and went to them, and asked them what Business they had there, and they Answered me what is that to you, I told them it was to me, and then asked whether Blackistone was at home, I told them yes, and they Answered me you Lye, then I asked them what do you give an Englishman the Lye; then said I was a Servant, then they asked for the Man of the house, so I answered he was at the further end of the Island, and was a Coming and they said they did not care, and then they Laughed one upon the other, and then they asked me where the Corn was I told them I had no Corn, and they said they must have Corn, And I told them they should not, and then I asked them where they Lived, they answered that they lived in Virginia, then I went presently to the house and one of them followed me and asked again where the Corn was, and I told him he should not have a bit of Corn there so he bid me kiss his —— So I took the Musquet and told him if he would not be gone I would Shoot him, and told him if he would not make haste the Bitch would tear him down, with that he went away as fast as he could to the other Indians, and then I went down to them with my Muskett and told them if they would not be gone the Man of the house would thrash them and they Answered they did not Care, all the three Indians were Naked on the Upper parts, and also Painted in a Warlike manner, and yesterday being Saturday a little before Night finding a young Mare which at last was found Dead and this Day opening of her there was found eight Shot holes in the Body of her this the Deponent is ready to Testify upon Oath as witness my hand

Jeoffrey ^{his} × Leils
mark.

Was also produced a Letter from Doctor Hall of Charles County Employed looking after and curing the wounds of the said Elizabeth Kersley giving an Account of her Condition which Importing also his Demands and Charge thereof and praying an Allowance from the Publick, was transmitted to the Committee of Accounts for their Inspection and Examination

Came D^r John Brooke M^r Edward Pindar and M^r Jacob Saunders from the house together with the Clerk of that house who they desire may have Administred to him the Oaths of Allegiance and Supremacy Appointed by Act of Parliament as also the Oath of Clerk of the house Obliging him to keep the Secrets of the house and keep fair Record of their proceedings which were all accordingly Administred unto him and they Dismissed with the desire of this Board to get the leave of the house for Major James Smallwood one of their

members to come and Attend this Board in Order to dis- U. H. J.
course the Indians waiting for an Audience

Proceeds to consider of the Method and Manner of discouraging & Treating with the Emperor of Pisscattaway and other the Indians now Attending Resolved that the Emperor of Piscattoway be first Called in and made acquainted with His p. 603 Excellencys Inclination and design to renew and keep Peace and Amity with him & all Other Our Neighbouring and friend Indians according to the former Usage and Custom and practice of the Government of this Province, and that fit and Necessary Articles & Proposals will be prepared and Drawn up for the better and more firm Establishment thereof, but first to let him know that there has been lately some Injury and Violence done and Offered to the Inhabitants by some Indians, which by the best Information We have and other pregnant Circumstances, it is Shrewdly to be Suspected to have been done by him or some other of Our Neighbouring Indians not unknown to him or his Indians and therefore it is Expected he will use his Endeavour to find out and discover the same whereby the Actors may be brought to Condign Punishment or Satisfaction made for the Same, as the Case may require after the Emperor shall have been discoursed in manner aforesaid and given Answer to such other Interrogatories as shall be proposed unto him by the Board, then to advise him that this Board desire to Examine some other of his Indians apart by themselves concerng the Premises, to which (it is Expected) he will Consent but whether he do or not resolved that after the said Emperor shall have done, some one or two of the Council do accompany him to some other Private Room and there Entertain him untill such time as the rest of the Indians shall be called in and Examined as aforesaid

A Message from the house by Mr James Smallwood in writing as follows Viz^t

By the house of Assembly 13th May 1692.

As to the Answer to the second Message to this house, this house say before their Honours answer thereto they had Ordered that a Bill of Recognition of his Maj^{ty}s right and Title to this Province also a Bill for relief against the Act of Limitations & also another Bill for Salving of all Errors in proceedings at Law Occasioned by the late Revolution Ordered to be brought into this house by some other Members of the said house, then the said Committee, that so the said Committee for Inspection of the Laws may Proceed upon their Charge from this house, in which the most Materiall Matters

U. H. J. in this Assembly will be Debated and dispatched, therefore they humbly desire that what Persons his Excellency intends to be assistant to the said Committee may be with Expedition sent to them it being a Business that requires most time and of greatest Difficulty otherwise the said Committee must proceed by themselves.

Signed p^r Order Henry Denton Cl Assembly.

A Petition preferred by Captain Samuel Brown late Navall Officer of Patuxent District, praying to be Continued in his said Office as not having Committed any Misfeazance therein to his knowledge It was informed that his Excellency being made acquainted with the Substance of the Petition, had Ordered the Petitioner to wait upon him some other more leizure time, his Excellency holding himself more particularly Concerned in the Disposition of that Office

Coll Henry Jowles Coll Nicholas Greenberry and Captain John Addison appointed to Join with the Committee for Inspection of the Laws.

Adjourn for half an hour

Mett again present as before

Cap^t John Bigger & M^r Francis Watkins from the house with the following Message Viz^t

p. 604 By the house of Assembly 13th May 1692.

This house in a former Message Signified to your honours that they had Appointed certain hours of meeting to the end Business might be the better Expedited hoping that your honours would have intimated to this house something of the same nature. Ordered in Council whereby a due Correspondency might be kept betwixt your Honours and this house therefore humbly require an Answer to it

Signed p^r Order Henry Denton Clk Assembly.

The house being Adjourned the answer of the foregoing Message is referred till to Morrow Morning, and the Board proceeds to discourse the Indians, The Emperor accordingly called in, and is Advised that his Excellency the Governor in their Majesties names offers them the Continuance of the Peace and Amity formerly made with them and that Articles shall be drawn accordingly between them if they accept thereof

Emperor. Says they readily Embrace and kindly accept thereof.

Coun. Some Mischief lately done by Indians to the Inhabitants their Majestys Subjects, which he is required to make Discovery of by whom done and the Actors thereof delivered up to Justice.

Emperor. Denys to know any thing of it but if he can will U. H. J. willingly Discover it.

Coun. It is desired that some other of his Indians may be discoursed and Examined apart.

Emperor. He Consents thereto.

Coun. What Strange Indians are those now among them, and wherefore Entertained by them without notice given, Contrary to the former Articles?

Emp^r They are Delaware Indians in Peace and Amity with the English and therefore Entertained by them.

He is at present Dismissed and Coll Hutchins appointed to Entertain him apart whilst other Indians are called in and Examined

The King of Mattawoman with another of his great Men are called in

Coun. He is informed that his Excellency comes now to renew the Peace formerly made with him by this Governm^t Quer if he accepts thereof

King. The same is most kindly accepted, he is very Antient and had much adoe to come so farr a Journey out of an Earnest desire and Inclination he had to see the Governor which he is very Glad he had now done.

Coun. Some Indians had lately Committed some outrages upon the Inhabitants, Quer. if he know any thing thereof, and if so to discover the Actors.

King. Very desirous to make and Renew a firm and lasting League of Friendship would have all that is evill cast away, did they know who were the Persons that Committed the same would most certainly make the Discovery

Coun. Was then produced and Shewed to them a painted and Carved Stick found and taken up hard by the Place where the late Mischief was Committed. Quer. the Opinion of the same.

King. It is the Custom of the French Cannada Indians to make use of such things and by the particular marks upon the Stick they observe that the owner thereof had killed three persons, and taken alive Eight more p. 605

They go to the Emperor, and King of Chaptico called in, To him is Communicated his Excellencys inclination to renew the Peace as before which also he says they Accept and embrace, but as to the Injury done by the Indians they are charged more Particularly & Possitively therewith especially that done to Coll Blackiston at Clements Island, the Arrows that were taken out of the Mare, being produced and shewed them. which they Deny all; and disown the Arrows to be theirs.

U. H. J. Mr William Blankinsteine called in to declare what he knows or hath heard Concerning the said Indians saith; that soon after the Indian mischiefs was done the Indians that was then before seen upon the Island and Suspected to be the Actors thereof went away. but that when Coll Blackiston sent for the King and some of his great Men the said Indian did then own the fact, and both he and the King promised to make Satisfaction

King. The Indian lying under that Suspicion rather than make any further Difference, they did offer to make Satisfaction.

Coun. They are Advised to be ingenious and declare the Truth, if any of them were Guilty they ought to make Satisfaction, if any English should do them any injury they should be righted, and such proceedings is the best and only way to establish a firm Peace among them.

King. It is Suspected that they are guilty of all the mischief that is done; if so they are wronged, for that since the first time when the Mare was killed, and they appeared before Coll Blackiston they have not been upon the Island.

Coun. It is but Just and reasonable to charge them with the whole if any one part be made appear against them; and if they will Boggle and not Confess the truth at Such a time as this what Confidence can be put in them in making Peace with them

King. They know nothing of the Matter, and declare themselves very much troubled at it

Coun. Advised that they go by themselves and Consider better of the Matter.

The Emperor sent in to know whether he might be Admitted to come and make his present to his Excellency and be thereupon dismissed having left but very few Indians behind him at the Fort to look after and keep the Same and therefore of necessity he must make haste back.

Answer Sent by Major Smallwood that if he be in such hast and will not stay till to Morrow Morning about 10 a Clock for preparing the Articles to be Concluded on he must take his Course, and keep his present, for his Excellency will not accept thereof neither hath he any for them upon that Account.

Major Smallwood returns and acquaints the Board that he had Communicated the foregoing answer to the Emperor who presently called together his great men and Consulted therein the matter, they shewed themselves much Concerned and troubled that the Emperor had pusht it on so farr as to give the Governor the least Occasion of Offence but the Emperor

Alledged that he had been the more pressing for a Dispatch U. H. J. for that he had perceived that his Excellency had for some few days layn under some Indisposition of Body not to be spoke with and he did not know but to Morrow he might be worse, p. 606 and therefore and for the reasons aforesaid he had been the more Solicitous for their dispatch to night; However it was Resolved and Concluded on between them that they would wait the time appointed to attend his Excellency.

The King of Chaptico with his Indians desire Admittance which was Ordered

King. It is Suspected by the English that some of his Indians did kill the Mare and doe other the Spoils and Mischiefs upon the Island, which they deny alledging that those Arrows produced are not like the Arrows used by the Chaptico Indians (most Nations having a peculiar sort to themselves) that a Servant Boy belonging to Coll Blackiston did tell the Indians that he had killed a Mare, and desired one of them to make him some Arrows, with such like Shifting and fivolous Excuses

Coun. It plainly appears that the Mischiefs is done and by what Evidence has been produced and all Circumstances Concurring to be by some of these Indians therefore they are further pressed to an Ingenious Confession of the Truth and Satisfaction making for the Same, which will create in us a greater Confidence of them and give them the more Credit in the Peace now Designed.

King. and Indians. at last Confess the fact, are Sorry for the same and promise never to do the like.

Coun. What Indians were those three that appeared last and did the Mischief upon the Island

Indians. They cannot say any thing to that Matter, but desire his Excellency to urge it no further upon them, being willing to make Satisfaction for which they are Ordered to do to Coll Blackiston; and to morrow the Articles of Peace will be prepared ready for them.

Considering the present Sitting of the Assembly and being uncertain how long the same may Continue, It is advised and by his Excellency Ordered that the Provincial Court appointed to be holden the first Tuesday in June next be further Adjourned to the first Tuesday in July following, and that all Writts precepts and Process returnable the first in June do Continue and be returned the said first Tuesday in July and that Writt of Adjournment accordingly issue.

Adjourn till to Morrow Morning 10 a Clock

U. H. J.

May the 14th 1692

Mett in Council Chamber present as yesterday

It being informed that Richard Hauslap late Sub: Sheriff of Ann Arundell County having by Virtue of his Office got into his hands and possession severall Books, papers Writings and Accounts relating both to the publick and particular private Mens Estates and Concerns, and had also received and Embezeled Severall Considerable Sums of both publick and private dues; It is Advised that his Excellency be humbly requested to move the Governor of Virginia (whether it is Alledged that the said Hauslap is fled) and lodged himself) for his Aid and Assistance, by his Orders and directions to his Officers Magistrates and Inhabitants of his Government, in the retrieveing, apprehending & taking of the said Hauslop so as to have him Safely delivered up and Conveyed back to this Governm^t to answer & to make good the charge against him

p. 607 An Answer to the Message of the house yesterday by Captain Bigger and M^r Watkins carried by M^r Tench as follows Viz^t

By his Excellency the Governor & Council in Assembly
14th May 1692

In answer to the Message received yesterday from the house by Captain Bigger and M^r Watkins this Board have appointed to sitt from ten of the Clock in the morning to four in the afternoon, between such hours the house may direct any Message or Apply to this Board for Conference upon any Occasion and the same will be readily received and Consented to: This Board have also appointed the honourable Coll Jowles Coll Nicholas Greenberry and M^r John Addison to Join in Committee with the Members of the house of Assembly for Inspecting the Body of the Laws of this Province

Signed p^r Order John LLewellin Cl.

Abel Brown Gent. late high Sheriff of Ann Arundell County Petitions to be Continued in his said Office in Consideration that he hath well Behaved himself in the Same and Expended great part of his Estate for the Satisfaction and Discharging of the Publick dues, which by the late distraction of that County and the Disaffection of the Inhabitants to the Government under the late Revolution till the present Settlement he could not without Extraordinary rigorous and unusuall Methods Collect or get in.

It being Alledged here to the Board that the Petitioner himself had declared himself desirous and willing to lay down

and relinquish the Sheriffs Place, and did not particular recom- U. H. J.
mend Mr Benjamin Scrivener the person now since made
Choice off to the Commissioners of the County Court, to Suc-
ceed him in that Office upon which his Excellency had pre-
ferred the said Scriven^r to the Same, He doth not think fitt to
revoke his Commission but recommends to the said Scrivenor
the Collecting of the said Browns Parcells and Arrears and
what other necessary Assistance he can afford him towards his
relief; upon such reasonable and modest terms as Conveni-
ently he can; Whereof Mr Tench is desired to Advise both
the said present Sheriffs and the Petitioner also for their better
Information.

Hugh Eggleston late Clerk of the County of Dorchester
appointed by the Commissioners, and since his Excellencys
Arrivall removed and another put in his room; Petitions to be
again restored to that Office, Alledging for reason, that he
had well and Submissively behaved himself to their Majestys
Government & never known or Suspected to be any ways
tainted or ill affected to the same, and for what reason turned
out he knew not, the said Petition Subscribed with the names
of Charles Hutchins Edward Pinder Thomas Ennalls Henry
Hooper Thomas Hicks & William Mishen Magistrates and
Inhabitants of the said County.

The Consideration thereof referred untill such time as his
Excellency shall have discoursed and Consulted the Gentle-
men of the Assembly Representatives of that County.

Mr John Edmundson of Talbot County Complaining against
Samuel Withers Gent. Sheriff of the said County for not Com-
plying with the Publick paym^{ts} prays the Assignment of his p. 608
Bond in order to prosecute the Same at Law for Satisfaction
of his Damages thereby Sustained

The Consideration thereof referred till Monday Morning

Thomas Richardson of Baltimore County Gent, formerly
Deputy Surveyor of the said County Petition to be Continued
therein if the same shall be held fitt to be practiced, or other-
wise that he may be permitted to lay out and Resurvey for
the Inhabitants what Lands are already Surveyed, at request
of the People to avoid future disputes, and to ascertain their
particular Bounds and further that such Certificates as he hath
already in his Custody of Land by him formerly laid out and
(for want of the Office being open) by him detained may be
now admitted to be received and Entered upon Record.
Referred the Consideration thereof to another time

Came the Speaker of the house and prayed his Excellencys
Order for the Issuing out of Writts of Election of Burgesses
to Serve in the room of Mr John Edmundson of Talbot

U. H. J. County, M^r Everdine, M^r Godwin, and M^r Huett of Somerset County, M^r Warner and Coll. Codd of Cecil County disabled and Expelled the house which was granted

Adjourn for half an hour

Mett again as before

The Speaker of the house came again and prayed Order for Election of Another Burgess in the room of M^r William Dare of Cecil County who was also disabled & Expelled the house, Ordered that Writts accordingly Issue for new Elections as desired

Taken into Consideration what presents to make to the Indians upon Ratifying and Signing the Articles of Peace now ready to be tendered them Conclude as follows Viz^t

To the Emperor of Pisscattaway six Coats Six Shirts, Six pair of Stockings and Six Bottles of Rum for him and his great Men.

To the King of Mattawoman, and of Chaptico, each of them three Coats three Shirts three pair of Stockins and three Bottles of Rum.

The Emperor and his great Men called in and the Articles of Peace read to them as followeth Viz^t

Articles of Peace and Amity Concluded and Agreed upon by and Between the honourable Lyonell Copley Esq^r Captain Generall and Governor in Chief in and over this their Majestys Province and Territory of Maryland and Othotomaquah Emperor of Pisscattaway this 14th Day of May in the year of Our Lord 1692.

Imp^{ts} It is Agreed upon that from this Day forward there be an Inviolable peace and Amity Between their Sacred Majesties King William and Queen Mary and their Subjects the Inhabitants of this Province and Virginia, and the Emperor of Piscattaway upon the Articles hereafter in this Treaty to be agreed upon to the Worlds End, to Endure and all former Acts of hostility and Damages whatsoever by either party Sustained to be buried in perpetuall Oblivion.

2dly: That if any Indian Subject to the said Emperor shall hereafter chance to kill an English Man, the said Emperor shall be obliged to deliver the said Indians up to the Governor of this Province a Prisoner.

3dly. Forasmuch as the English cannot easily Distinguish one Indian from another that no Indian shall come into any English Plantation painted; and that all the Indians shall be bound to call aloud, before they come within three hundred Paces of any English Mans clear Ground, and lay down their Arms whether Gun bows or Arrows or other weapon for any

English Man that shall appear upon his call to take up and in U. H. J. case that no one appear, that he shall there leave his said Arms; if he comes nearer, and that afterwards he shall by calling aloud Endeavour to give notice to the English of his nearer approach.

And if any English Man shall kill an Indian that shall come unpainted and give Notice and deliver up his Arms as aforesaid he shall dye for it; as well as an Indian that kills an Indian; and in case the Indians and English meet accidentally in the woods every Indian shall be bound immediately to throw down his Arms upon Call; and in Case an Indian so meeting an English Man; shall refuse to throw down his Arms upon call; he shall be deemed as an Enemy.

4thly. The Priviledge of Crabbing, fowling, Hunting and fishing shall be preserved to the Indians inviolably.

5thly That every Indian that killeth or Stealeth a Hogg Calf or other Beast or any other Goods, shall undergo the same Punishment that an English Man doth for the same Offence.

6thly. In case any Servants or Slaves run away from their masters and come to any of the Indian Towns within the Territories of the said Ochotomoquah and his Subjects they shall be bound to apprehend the said fugitives, and bring them to the next English Plantation to be Conveyed to their Masters; and in Case any Indian aforesaid shall Convey or Assist any such fugitive in their flight out of this Province; that he shall make the respective Master or Mistress of such Servant or Slave such Satisfaction as an English Man ought to do in the like Case.

7thly. That the said Emperor shall not make any new Peace with our Enemys nor shall make any Warr without the Consent of the Governor of this Province for the time being.

8thly In Case the said Ochotomoquah or any Indian Subject to him shall kill any Indians or any other in Peace and Amity with their said Majestys it shall be Esteemed as great an Offence as killing an Englishman.

9thly. That neither the said Emperor nor any of the said Indians under his Subjection do at any time hereafter, keep harbour or entertain among them or within their Fort any foreign or strange Indians or know or discover any such to appear or come into this Province without giving timely and all possible Speedy Notice thereof to his Excellency the Governor or some magistrate or other Officer or person of note; by whom the same may be Communicated with all Expedition to the said Governor or Governors of this Province for the time being for his Advice & directions therein.

U. H. J. 10thly. That as a further Testimony of their League Peace and friendship with their Majestys and as they Expect Protection from them and this Government here, there be yearly paid by the said Emperor as a Tribute to their said Majestys an Indian Bow and two Arrows to be delivered to his Excellency the Governor or the Governor for the time being, at his Residence wheresoever the same shall happen to be on the first Tuesday in April in every year Successively.

In Confirmation of the Premisses his Excellency the Governor and likewise the Emperor aforesaid have Mutually Signed Sealed and Delivered these present Articles in the presence of their Majestys Council and the Great Men of the said Emperor then present the day and year first before mentioned

Seal
Ochotomoquah X Emperor
Signum

L: Copley (Seal)

The foregoing Articles being distinctly read, and Explained to the Emperor he is made acquainted that these are the terms upon which his Excellency thinks fitt to Conclude the Peace with him, and shall be inviolably kept on the part of the English, as it is Expected will be also on their part.

He Declares himself Satisfied therewith and engages for the strict observeing and keeping all and every the said Articles.

He is Sorry that it happens to be so poor with them at present as it is having none but few Raccoon Skins, and such like to present his Excellency with at this time, but prays his Excellency to accept thereof as a token of their love and friendship.

Coun Quer. How long these Strange Indians now among them design to Stay with them

Emp^r Two of them intends to tarry the year out, and for the rest he knows not how Long.

Coun It is doubted that they are not certain whether they are Sineques or not, or what Indians they may be, and therefore they are desired to detain and keep them among them about Eight Days Longer by which time his Excellency will provide and Send to them a Person that understands the Language of those Indians to enquire and Discover what they are, and their Business in these parts.

Coun It is Expected and required that the Emperor will use his endeavour to find out and discover these Indians that Committed the late Violence upon the Woman in Charles County as aforesaid and to Communicate the Same to Major Smallwood

Emp^r He will endeavour to find out the same and if he

can make any Discovery will Communicate it to Major Small- U. H. J. wood as is desired.

He likewise moves his Excellency that no persons may be permitted to carry any Strange Liquors to the fort among his Indians, but that his Excellency will Please to grant him an Order to Prohibit the Same.

Gov^r The same is granted and Order shall be given accordingly; If any English Man abuse the Indians or obstruct them in their liberty of Hunting, fishing or fowling, they must forthwith Apply themselves and make the same known to the next Magistrate who shall be Ordered to do them Justice.

The Articles being Mutually signed and Sealed by his Excellency and the said Emperor, were Committed to the Custody and keeping of Major Smallwood for the Indians upon all Occasions to have recourse unto.

The present Designed for the Emperor and his great Men was accordingly delivered to him wherewith he declared himself Satisfied gave thanks for the same and took his Leave.

The King of Mattawoman by the name of Maquantack next Called in and had read to him the Articles between him and the English the same Verbatim with the former, where with he and his great men declare themselves well Satisfied and Content give and receive their presents, the Articles Mutually Signed by the Governor and the said King and also Committed to the Custody and keeping of the said Smallwood to the End and purpose aforesaid, They are given further to understand that for every Servant or Slave runaway that they shall take up, shall be paid them for their encouragement, a Matchcoat to be awarded or Satisfied to them by the Magistrate before whom such runaway shall be Carried and to be reimbursed by the Master or owner of such Servant or Slave, They approve of the Same.

The King of Chaptico and his Indians next appear and have read to them their Articles; the same with both the former with Addition only of Eleventh Article before the Conclusion as follows Viz^t

11th It is required and the said King for himself and the Indians under him doth Covenant to make such reparation and Satisfaction to Coll Nehemiah Blakiston for an Injury by them lately done, as M^r John Bean and M^r William Blankenstein thereunto especially appointed; upon full hearing and Examination into the matter shall award and adjudge.

The said Articles agreed to; the presents Exchanged, and the Articles Signed on both sides and Committed into the Custody and keeping of Coll Blackiston for the Indians to have recourse to upon Occasion.

U. H. J. Two of the Indians appearing with those of Choptico acquaint his Excellency that they with some others that formerly belonged to Patuxent to the number of ten Men; were desirous to come and live with and amongst the Choptico Indians if they may be permitted so to do; His Excellency gives Consent thereunto for which they are thankful.

They Complain that some English men encroach upon their Land at Choptico and do them much Spoil Coll Blackistone is desired to enquire thereinto, and to see that right and Justice be done them, as also Major Smallwood the like for the Pisscattaway Indians who Complain of the same Grievances.

Adjourns till Monday Morning 10 of the Clock

May the 16th 1692 Mett in the Council Chamber

Present as on Saturday last

Stephen Sumter of Calvert County being Charged by Coll Jowles for offering abusive and affronting Language to him, and bound to answer the same this Assembly, having attended a long time upon charge prays a hearing pretending Ignorance of the Crime, but if he be guilty of any such thing declares himself sorry and Penitent for the same as by his Petition was sett forth; He is called and upon his Humble Submission craving pardon of his honour Coll Jowles for his folly; which was by the said Jowles Accepted off, the said Sumter is discharged from further Attendance at this time being Advised and promising to beware of Committing the like again.

p. 612 Mr Boothby and Captain Whittington from the house came to acquaint this Board that the Committee appointed to inspect the Laws of the Province were now sent out, they desire that such of this honourable Board as are to Join with them would please to give them a Meeting, the place appointed by the house being the room over the Court house as most proper for their Business where the house may more readily send such orders to them as they shall think fitt, and they also upon Occasion Apply themselves to the house.

The Board will give directions therein.

The Board having received information that it is reported and rumoured by Severall the Servants and Passingers of the Ship Ann of Newcastle whereof Charles Partis was Master outward Bound, and that it is to be much Suspected that the said Partis by reason of the Insolent Behaviour of the Ships Company taking from him his Command their Confining him to

his Cabbin, and depriving him of his Common Necessarys for U. H. J. his Support of Succour and Refreshment on Board in time of his Sickness, Came to an untimely and unnatural end.

Ordered that the same be Strictly and Diligently enquired after by all Magistrates or others living with or near such Passengers by whom the Truth thereof may be the Better known and discovered and Justice done therein

Adjourn till to Morrow Morning 10 a Clock

17th May 1692

Mett in the Council Chamber present as Yesterday
Came M^r Hammond and M^r Ridgley with the following
Message from the house Viz^t

By the house of Assembly 17th May 1692.

This house has ordered a new Act to be made for the Continuance of the Articles of Peace now made with the Indians and do think it necessary that the said Articles should be Annexed to the Laws, they do therefore humbly desire a Copy of the said Articles may be sent to this house.

Signed p^r Order Henry Denton Cl Assembly.

Thus Answered

By his Excellency the Governor & Council in Assembly.

17th May 1692.

The last Message from the house by M^r Hammond and M^r Ridgley appearing very Strange and novell to this Board they cannot but Signifie their resentment thereof as a matter too much intrenching on the Prerogative of the King in whose power alone it is to make Peace or Warr, and that Consequently the Peace lately Concluded by his representative the Governor with the Advice and Consent of his Council is altogether Sufficient of its Self without the help of an Act or Law to Confirm the same ; And therefore hope it will be no further urged ; this Board being desirous rather to impute it to the mistake then design of the house in moving the same, and if the house desire to peruse the Articles made for their information they may at request have Copies thereof Sent them.

Signed p^r Order John LLeuellin Cl.

Sent to the house by Captain Addison and M^r Tench, they return back with the Same giving the Board to understand that the house was Adjourned

Adjourn till to Morrow Morning 10 a Clock

U. H. J.
p. 613

May the 18th 1692 Mett in the Council Chamber

Present as before Yesterday Except Coll Jowles Coll Greenberry and Captain Addison gone to the Committee of Laws.

The foregoing Message designed for the house yesterday is now Sent down by Coll. Brown and Mr Tench.

Produced and read a Letter from the Governor and Council of New York Viz^t

May it please your Excellency

This comes to Congratulate your safe arrivall and happy Accession to the Government of Maryland, We are heartily glad of so good a Neighbour as you are Characterised to be, by all the Gentlemen of your acquaintance in this Province; We pray you to be so kind as to Maintain a frequent Correspondence with us by all Occasions, you may be Sufficiently informed by the President Mr Blackiston, and the Several Books & papers Sent from this Place; what proposals have been made with your Colony and the rest of Our Neighbours towards the Defence of Albany, which is the Frontier Garrison of all the English Plantations on the main of America, which if lost we must Lose Our Indians, the ill Consequences whereof will be equally shared amongst us all, and do make thinking men to Dread, the loose Estate and Condition of Government amongst Our Neighbours hath retarded their Motion towards our aid to reinforce that Post so that the whole Burthen hath layn upon this Poor Province, which indeed is intollerable, Our Indians have been very unsteady, and now we are forced to a great Charge of presents to preserve them in Amity; Our Neighbours in Virginia did send us Bills for above one hundred pounds to be given to the Indians; to tye the knot of friendship on their behalf, and this is all that we have yet received from any of Our Neighbours of any Sort of Assistance, tho this Government, since Governor Slaughters Arrivall, are to above Seven hundred pounds Charge in presents, beside the great Expence in Maintaining that Garrison, We have had 300 Fuseliers all this Winter at Albany in pay, who are to be discharged in May next, by the Blessing of God it is still preserved, but in such fainting and Languishing Condition that all the Inhabitants are ready to retire to the Sea side, Trade being Extinguished and daily Alarms from the Enemies, We have been forced to make an Order and Proclamation to prohibit any manner of Persons able to bear Arms to withdraw from thence without a Pass, which the Enemy would rejoice to hear of, the City of Albany and Plantations next the River have been lately much Damnified by a flood of Rain; so that now were We obliged to Supply them with Bread, We

have already and now again we are Resolved in all humility ^{U. H. J.} to represent Our Condition to their Sacred Majestys also with relation to Our Neighbours on behalf of that Garrison, and be your endeavours in like manner We have received fresh hope of Assistance from your Colony by your happy Arrivall to Settle Government there, therefore reckon it our Duty in time to acquaint you therewith, to give your Excellency the Opportunity of Exerting the Powers their Maj^{ties} have Confirmed upon you, in a Service which so much concerns the honour of the Crown as well as the Safety of your Colony and other your Neighbours which We believe you will willingly embrace, Our Assembly are now raising 200 fusiliers to reinforce that Garrison and there will be 300 more wanting; We pray for your Speedy Answer and to hasten your Aid and Assistance. ^{p. 614} We have again applyed to the rest of Our Neighbours but expect little at present from New England, having no Advice as yet of S^r William Phipps Arrivall, from Virginia and your Collony are Our greatest hopes; We wish your Excellency a long and happy Government under their Majestys and Subscribe

Your Excellencies reall friends & Servants.

Richard Ingolesby	S: Courtland	H. Mininets
T: Dudley.	W ^m Smith	Wincoll
Fred: Philips.	C ^r Brook	John Lawrence

Postscript Viz^t

We have been at the charge of £700 in Presents to the Indians

Fort W ^m Henry the 25th	} 2500 for the Fusiliers at Albany 1200 for the Expedition to Canade
of April 1692.	

4400

Besides many Incidents of that Garrison which cannot easily be brought into heads

Directed as follows Viz^t

To his Excellency Col Copley Captain General and Governor in Chief of their Majestys Territory of Maryland.

M^r Watson from the Lower house came and brought back to this Board the Message last sent them p^r Coll Brown and M^r Tench from hence concerning Articles of Peace made with the Indians; without any Answer thereupon, by word of mouth from the Speaker desiring their honours not to proceed upon it.

Which seeming some what strange and unusuall Resolved that a Message be sent them desiring a Conference Viz^t

U. H. J. May the 18th 1692 By his Excell^y the Governor and Council
in Assembly

This Board desire a Conference with the house of Assembly
and desire their Company here at the Council Chamber forth-
with.

Signed p^r Order John LLewellin Cl.

Sent by Coll: Robotham and Captain Courts. They return
from the house having delivered their Message; Coll Jowles
Coll Greenberry, Captain Addison sent for from the Com-
mittee; accordingly they Enter to the Board.

A Message by Captain Hammond and M^r Watson as follow
Viz^t

By the house of Assembly May the 18th 1692.

This house is ready to wait on your honours to Join in
Conference according to the desire of the last Message sent,
But first are willing to know the Subject Matter upon which
the said Conference is desired.

Signed p^r Order Henry Denton Cl Assembly

Endorsed and sent back by Coll Hutchins & M^r Brook as
follows Viz^t

By his Excellency the Gov^r & Council in Assembly
18th May 1692.

At the Conference the Subject Matter will be declared

Signed p^r Order John LLewellin Cl.

p. 615 Coll Hutchins and M^r Brook having delivered their Message
to the house returns to the Board.

Came the Speaker and the Members of the house to attend
this Board.

His Excellency acquaints them that for the better dispatch
of Business and more right and full understanding of each
other he had desired this Conference; not well knowing or
rightly apprehending their Meaning in the two last Messages
sent from the house desiring the Articles of Peace to be
annexed to the Law to be made to Confirm the same and then
desiring this Board not to proceed thereupon.

Their Message concerning their Articles of Peace being
read they say it was a Mistake of their Clerk in drawing the
same well enough knowing the power of Peace and Warr to
be the Kings Absolute Prerogative, and they did in no wise
Intend to dispute the same, but to the end the Peace now
made might be the more Publick, and that the People of the
Province for want of knowledge thereof might not be Subject
to a Breach of the same, they desired that Copys of the said

Articles might be sent up with the Law passed this Sessions U. H. J.
to the severall Counties to be published together with the said
Laws; and further as to the Verball Message delivered by Mr
Watson desiring their honours not to proceed upon it, that
also was Mistaken by the said Watson and no wise designed
by the house to be delivered here, but upon receipt of the last
Message from hence it was resolved in the house that whereas
they were preparing a Law Concerning the said Articles, they
should proceed no further upon it and so mistaken by the said
Watson for a Message by him to be delivered to this Board,
which they desire may not be taken to be the sense of the
house but may be razed out of the Journall

His Excellency gives them to understand that he had stayed
a Ship now ready to Sail, on purpose to write by her to Eng-
land, to give his Majesty an Account of affairs here, and
amongst other things is willing to give an Account of what
progress this Assembly has made towards the present Settle-
ment and therefore moves the house, to the Dispatching those
Preliminaries most necessary to be Considered Viz^t the Act of
Recognition, and a Bill of generall Indemnity and such like.

They say they will proceed to the dispatch of those two Bills
and will have them ready to present to this Board to Morrow
Morning.

Adjourn for an hour.

Mett again present as before.

Mr William Dent, Mr Henry Tripp, and Captain William
Whittington from the house with an Address drawn up to
their Majestys to be signed by the members of the house, they
present the same to this Board, together with the following
Message Viz^t

By the house of Assembly 18th May 1692.

This house do humbly desire the Concurrence of your
honours to this Address in Order to be sent to their Majestys.

Signed p^r Order Henry Denton Cl Assembly.

The Address is as followes Viz^t

To their Sacred Majesties William and Mary by the Grace
of God King and Queen of England Scotland France and
Ireland Defenders of the faith &c.

The humble Address of your Majesties Council and the rest p. 616
of your most Loyall Subjects the Inhabitants and freemen
of your Majesties Province of Maryland their Representatives
in a General Assembly met together.

Gracious and Dread Sovereigns

The due sense and acknowledgments of those great Bless-
ings it hath pleased God to bestow on us in Redeeming us

U. H. J. from Arbitrary Will and pleasure of a Tirrannicall Popish Government under which we have so long Groaned Leads us to render and pay unto your Majestys (as the only Instruments and Authors under God thereof) the Just Tribute of Our humble and hearty thanks for the same, more especially for that your Majesties have Graciously Vouchsafed to incline your Sacred Ears to the hearing and granting Our humble Petitions and former Addresses to your Majesties by taking and receiving us into your Immediate care and Protection, and to that End Sending amongst us a Protestant Governor, of whose Loyall Candour and Integrity as your Majesties have had good Experience, so that small time he has been amongst us, gives us that assurance as most humbly and Sincerely to bless and praise Almighty God, and give your Majesties Our Cordiall thanks therefore, rendering us thereby true Englishmen and good Subjects immediately to the Crown of England, and you our Lawfull and Liege Sovereigns the right full and undoubted Possessors thereof.

The great God of heaven that of his great Mercy have placed you on the throne and so miraculously preserved you therein (notwithstanding the fatigues and malice of your Enimies,) still prosper Conduct and guide your Majestys throughout the whole Course of your Lives and in all your Glorious Enterprizes and undertakings Succeed you, is and shall be the constant fervent and incessant prayers of your Majestys most thankfull Dutifull and Obedient Loyall Subjects and Servants.

Signed by the Members of this Board, and Signified to the house in the following Message Viz^t

By his Excellency the Governor and Council in Assembly,
18th May 1692.

This Board readily concurr with the Message of the house last sent hither by M^r Dent, Major Tripp and M^r Whittington in Addressing their Majestys as desired

Signed p^r Order John LLewellin Cl.

M^r Hammond and M^r Dorsey with severall Bills from the house Viz^t an Act for the preservation of the severall Harbours within this Province thus Endorsed Viz^t Passed first reading

An Act for prohibiting foreign Ingrossers, Endorsed Viz^t read and passed the first reading without Alteration.

An Act for the Publication of all Laws within this Province Endorsed Viz^t Passed the first reading without Alteration.

Came from the house M^r Hammond, M^r Hoskins, M^r En-

nalls, Mr Harris Mr Watson and Mr Ridgley and present to the U. H. J. Board these following Bills Viz^t

An Act taking away Errors in Proceedings and for relief against the Act of Limitations Indorsed Viz^t Read and passed the first reading.

An Act of Recognition of their Sacred Majestys right and Title to the Province of Maryland Endorsed Viz^t Read and passed the first reading p. 617

Doctor John Brooke being sent for makes his appearance and being desired to give his Opinion of Mr Ecclestone late Clerk of Dorchester County who hath Petitioned this Board to be restored.

He saith that he well knoweth the said Ecclestone to be every way fitly Qualified for the Place, and will give great Satisfaction to the County, as formerly he hath done, that true it is that some Information was given against him by a Scandalous Profligate person who is since runnaway, that the Commissioners of the County upon Examination thereof could not find any thing Substantial or Material against the said Ecclestone, whereupon and for that it is also informed that the present Clerk Mr Benjamin Hunt keeps an Ordinary; His Excellency is pleased to restore and appoint the said Ecclestone Clerk of Dorchester.

Coll Nicholas Greenberry of their Majestys Council, and Doctor John Brook of the house of Assembly take the Oaths of Allegiance &c. also the Oath of Justice of the Provincial Court.

Proceed to read the forementioned Severall Bills brought from the house Viz^t

An Act for preservation of the severall harbours &c. read and voted two readings to Morrow.

An Act for prohibiting Foreign Engrossers, Ordered to be referred till to Morrow

An Act for Publication of all the Laws &c. Read here and Set aside as useless

An Act for Recognition; read and voted 2^d & 3^d reading to Morrow.

An Act for taking away Errors &c. read & Voted 2 readings more to Morrow

Adjourn till to Morrow Morning 10 a Clock

May the 19th 1692 Met in Council Chamber

His Excellency the Governor.

The honble {	Coll Nehemiah Blackistone	} Coll David Brown	
	Coll George Robotham		} Capt. John Courts
	Coll Charles Hutchins		

Captain Hoskins and Mr Wheeler from the house brought the following Bills V^t

U. H. J. An Act for the Service of Almighty God, and the Establishment of the Protestant Religion in this Province thus Endorsed Viz^t Read and passed the first reading

Read here the 2^d time the Act of Recognition &c.

Read here the 2^d time the Act for taking away Errors in Proceedings &c. which last Bill was remitted to the house by Coll Hutchins and Captain Courts with this following Message in writing Viz^t

By his Excellency the Governor and Council in Assembly.
May the 19th 1692.

The Bill for taking away Errors in proceedings &c. and for relief against the Act for Limitations hath been twice read and approved off by the Board as very Necessary to be Passed into an Act but they are also of an Opinion that it ought to take place from the Beginning of the Revolution which was in the Month of August Anno 1689.

Signed p^r Order John LLewellin Cl.

p. 618 M^r Mason and Major Smallwood from the house brought with them the following Bills Viz^t

An Act Prohibiting the Exportation or Sale of their Majestys Ordinances &c. thus Endorsed Viz^t Read and passed the house.

They desire that if any Bills had passed this Board their honours would please to remitt them to the house.

The Act prohibiting the Transportation or Sale of their Majestys Ordinances &c. Read the first time and referred to further Consideration

Read the 2^d time the Act for preservation of the several Harbours within this Province.

M^r Tasker and M^r Hammond from the house Came and present these following Bills Viz^t

An Act Touching Indians, thus endorsed Viz^t read & passed first reading

An Act for the more speedy bringing to Tryall and Suppressing Criminals and limiting their Punishments for certain Offences when prosecuted in the County Courts, Endorsed Viz^t Read & passed the first reading

An Act for Limitation of Certain Actions for avoiding Suites at Law, Endorsed.

Read and passed the first reading

An Act against Hoggstealers and marking of Hoggs; Endorsed Viz^t

Read and passed the first Reading.

Coll Robotham and M^r Brooks sent to the house to understand the meaning of the house by Endorsing their Bills as

before. Passed the first Reading. They return & Signifie U. H. J. the meaning of the house by their said Endorsment to be that upon once Reading of every Bill in the house, without they send them to their honours for their Perusall and after that Admitt them a 2^d & 3^d Reading before they pass them into an Act

Read the Act against Hogstealers and Marking of Hogs &c. And finding no Penalty mentioned therein, the same is Referred back to the house to know what Penalties they intend for the Breach of the Act, and to desire them to Insert the same in the Body of the said Act, for that Referrence to any former Law in that Case is not thought Sufficient, all former Laws of this Province being now of no force

Read the Act for Limitation of certain Actions &c. and the same is approved of by this Board, if the Limitation extend but to two years as formerly.

Read the first time the Act for the more speedy bringing to Tryall and Suppressing Criminals &c. Referred to further Consideration.

Read the Act Touching Indians &c. Referred to further Consideration

Coll Brown and Captain Courts sent to the house with the following Message and the severall Bills therein mentioned Viz^t

By his Excellency the Governor and Council in Assembly
May the 19th 1692.

The several Bills herewith sent Viz^t The Act of Recognition, the Act for preservation of the several Harbours &c. The Act prohibiting Foreign Engrossers, and the Act for Limitation of certain Actions (provided the time of Limitation may not Exceed two years as formerly this Board Concurr with

Signed p^r Order John LLewellin Clk.

Adjourn for half an hour

Met again and present as before

Doctor Brook and M^r Hammond from the house with these following Bills Viz^t

An Act of Recognition &c.

An Act for Limitations of Actions &c. Amended

An Act against foreign Engrossers

An Act for the Preservation of Harbours &c.

All Endorsed Viz^t Read and passed 2^d time

Doctor Brook and M^r Ennalls from the house present these following Bills

An Act for the Inrollment of Conveyances and securing the

U. H. J. Estates of Purchasers Endorsed viz^t Read and passed the first Reading

An Act for Marking highways and making the heads of Rivers Creeks Branches or Swamps, passable for horse and foot thus Endorsed Viz^t Read and passed first Reading.

Adjourn till to Morrow 10 a Clock.

May the 20th 1692 Met in the Council Chamber

His Excellency the Governor

The honble	{	Coll Nehemiah Blackiston	{	Coll David Brown	}
		Coll George Robotham		Captain John Courts	
		Coll Charles Hutchins		M ^r Thomas Brooke	

Produced and Ordered to be read a Letter from Major Beale as follows Viz^t

May the 19th 1692 Western Branch.

May it Please your Excellency

I have here sent you the news inclosed that came to me, I am Just now going up, and will be as Carefull as I can till further Order from your Honour and Council I do intend to keep out Ranging back of the Plantations till further Orders in hast I remain

To his Excellency the Cap ^t	}	Your Excellencys Servant to Command whilst I am Ninian Beale.
Gen ^l & Chief Governor in		
and over the Province		
of Maryland		

Major Ninian Beale

Honoured Sr This is to acquaint you that last night about 11 or 12 a Clock Came two men from M^r Ousleys to Captain Addisons to give notice that about 3 a Clock in the afternoon M^r Ousleys negro Woman going betwixt the Lower and Upper house was almost killed by two Indians and hath two wounds in her head, and a peice of Skin the breadth of a Crown peice flead off her skull, and stabled under the right Breast, which wound is thought to be Mortall and Stabbed quite through one Arm, with several other small wounds, a Cooper being at a Little Distance heard her Cry out, who with another Man with him made towards her, which frightened them away and in a Little time after M^r Ousley being out, came home with his Ranging Party and Eleven Pisscataway Indians with him, who immediately went after them & found where they had Camped near to the house The Indians say they think by the footing there is ten of them. They pursued

them so hard that they dropt several things 1st pair of Mock- U. H. J.
asoons, one stick like a back sword much like that you did ^{p. 620}
see at Captain Addisons; M^r Ousley returned to his house
last night, but the Indians are still in pursuit, who says they
doubt not to come up with them, unless they Come over
Potowmack M^r Ousley and his Party is appointed by Our
Indians to meet them again this Day; send the inclosed to S^t
Maries with all speed, that the Governor and Assembly may
be acquainted with it, which is all at present with due respects
from Honoured S^r

At Cap ^t Addisons house	Your humble Servant
To the Honble Major Ninian Beale	James Thompson
at his house Hast for their	
Majesties Service. Post hast.	

The Inclosed mentioned in the foregoing was a Letter from
the aforesaid James Thompson to Captain Addison Importing
the same as before

Produced also a Letter from Captain Brightwell giving a
short Account of the same, and desireing a Recruit of fresh
men Arms and Ammunition & Provisions all which being
read & Considered, It was Concluded that no effectuall
Measures can be taken as yet for redress untill such time as
the Board might be informed from Jacob Young the Inter-
preter (whom his Excellency had sent up to the Pisscattaway
Fort for that Purpose) what Indians they may be Suspected
to be, but that in the mean time a Letter be writt to Major
Beale giving him thanks for his Advice desireing him to Con-
tinue his care in Ranging for the security of the Frontiers
and making what Discoverys he can, and to take Care that
Captain Brightwell and his party be Relieved and Supplied
with men and Provisions as he hath requested.

By his Excellency the Governor and Council
May 20th 1692.

Major Beale

Yours of the 19th Instant in relation to the Indians is come
to hand & hath passed the Consideration of this Board, for
your care therein you are Commended and herewith receive
thanks with due directions also to Continue your Dilligence
in Ranging for the security of the Frontiers and making what
discovery you can to be upon Occasions hither Transmitted,
and for that purpose you are to Supply Captain Brightwell
with Men and Provisions suitable for the Charge he hath, and
also pursue yourself such Methods as may be most proper
and suitable to the Occasion untill such time as the Board may

U. H. J. be Advised from Jacob Young (for that purpose sent up to the Pisscattaway Fort) what Indians they are ; and you shall thereupon receive further Orders and Instructions therein.

Signed p^r Order John LLewellin Cl.

What flints you have to spare or can procure, you are desired to send down by the Bearer or other Safe Opportunity with all Convenient Speed.

A Message from the house by M^r Winn the Attorney General M^r Mason, Mr. Tasker, and M^r Hoskins, to deliver the severall Bills following Viz^t

An Act declaring what shall be done by the Sheriffs ex Officio.

An Act securing Merchants and others Tobacco^s after they have received it.

An Act prohibiting Arrests on Sabbath Days & Days of Gen^l Musters & Trainings

An Act Concerning the height of fences.

An Act against Burners of fences

All Endorsed Viz^t Read and passed first reading

The Attorney General at Delivery of the said Bills read the Titles of the Same and the Message thereupon as follows Viz^t

p. 621 By the house of Assembly 20th May 1692.

This house do humbly conceive that the Stile appointed to be given the Laws of this Province by your honours being Contrary to the President of all Our Neighbouring Plantations do humbly desire your honours Concurrence with this house in the Stiling of them after the Example of Virginia or Jamaica the same being approved of in England

Signed p^r Order Henry Denton Cl Assembly.

To which the Attorney General by Word of Mouth also moved the Concurrence of this Board and that the Enacting part of all Laws May be thus rendered Viz^t By the King & Queens most Excellent Majesty by and with the Advice and Consent of the General Assembly &c. which besides the reasons Mentioned in the aforesaid Message is most proper and Pertinent for that the Governor representing the Kings Person cannot without tautology be made a party to the same.

Another Message from the house delivered at the same time as follows Viz^t

By the house of Assembly May the 20th 1692.

This house humbly desires your honours would be pleased to Expedite those Bills hither, yesterday sent you, for the Clerks are now ready to go upon Engrossing the Laws.

Signd p^r Order Henry Denton Cl Assembly.

Then read the Act for Enrollment of Conveyances &c. as U. H. J.
to the fees therein Limited this Board Except against the
same, as also against the Termination thereof in three years
Whereas all Laws that may be thought Convenient (unless
such as are for a Temporary End & design) ought to be
indefinite, especially this Act of so great moment as the Estab-
lishment and Confirmation of Our Inheritances.

Read the Act for making high ways &c. wherein it is con-
ceived that it ought to be left to the discretion of the Justices
of the County Courts, what roads and in what manner they
shall think such reparations shall be made as the said Act
requires, and then the same also to be indefinite.

The Act for Limitation of certain Actions read here the
second time.

The Act for taking away all Errors in proceedings read the
3^d time

By his Excellency the Governor and Council in Assembly.

20th May 1692.

The severall Bills herewith sent Viz^t the Act of Recognition
&c. The Act for Limitation of certain Actions &c. The Act
for the preservation of the Several Harbours &c. The Act
for Enrollment of Conveyances &c. The Act for marking
high ways &c. The Act for taking away Errors &c. have
been read and Considered by the Board; whose Opinion
they think fit to Signifie to the house as follows Viz^t
As to the Act of Recognition they Conceive it Necessary
that the preamble thereof were better Excluded & the Recog-
nizing part only taken notice of according to the Precedents
and Examples of England and Our Neighbouring Collonies,
that the same may appear to proceed freely from Us without
any Sinister End or Condition of Covenant Inducing there-
unto.

The Act against Hogstealers particularises no Penalties to
be inflicted upon the Offenders for breach thereof, but refers
to former Acts, which seems to this Board to be altogether
insignificant, all the Laws in Generall of this Province formerly
made Being now Abolished and of no force, also for the p. 622
better and more Easy discovery of Criminalls in that and all
other matters of like Import Viz^t in all Cases of petty Lar-
cenys and stealings of Provisions or other Goods; it were
Convenient that the Onus Probandi lye upon the Party
charged, and in whose Custody the same may be found; that
in Case he or she cannot Sufficiently make appear and prove
when and where and how they came by the same; It shall be
a Sufficient Conviction of the Crime, and the Punishment

U. H. J. thereof to be better Considered of, and Reduced to fine, Servitude or otherwise as shall be thought fitt, more Agreeable to the Laws of England.

In the Act for Enrollment of Conveyances &c. there is a certain fee granted to the Clerk which (as in all other Acts to be drawn) this Board desires may be Waved as a Matter wholly Vested by their Majestys in the Governor with the Advice of his Council.

The Act for marking highways &c. It is desired and thought necessary that a Clause be Added Empowering the Commissioners of every County Court to direct and appoint what roads and Paths and how and in what manner to be Ammended and repaired as they in their discretion shall think fitt; And generally the house is desired and Advised to render all their Laws indefinite as a matter particularly Recommended to his Excellency by their Majestys in their Instructions to him with these Amendments and Regulations, this Board is willing to Concurr with the house in passing the said Bills, and desire to Conferr with them Concerning these and the Rest of the Bills now before them.

Signed p^r Order John LLewellin Clk

The Act Securing Merchants and others Tob^a &c.

An Act prohibiting Arrests on Sabboth Days &c.

Act declaring what shall be done by Sheriffs Ex Officio

Act Concerning the heights of fences

Act against Burners of Fences

All read here first time & Voted a Second reading to Morrow.

Adjourn till to Morrow Morning 10 a Clock

May the 21st 1692 Met in the Council Chamber

His Excellency the Governor

Coll Nehemiah Blackistone	} Coll Nicholas Greenberry
Coll Henry Jowles	
Coll George Robotham	
	Capt. John Courts.

A Message brought from the house by M^r Hammond and M^r Dorsey Viz^t

By the house of Assembly 21st May 1692.

This house being ready to go upon the Debate for Settling an Allowance for the Support of Government and being willing to inform themselves of the yearly Revenue of the Impos-

sition of the 2/ p^r hhd. do therefore humbly desire your U. H. J. Excell^y will be pleased to permitt M^r LLewellin to come down to the house for some small time and that he may bring along with him the severall Accounts by him Taken from the Navall Officers of this Province to the end they may be rightly Informed about the same.

Signed p^r Order Henry Denton Cl Assembly.

Coll George Robotham and Captain Courts together with p. 623 John LLewellin Clerk of the Council Appointed and Ordered to go to the house with what Accounts he the s^d LLewellin hath in his Custody and to shew them to the house, and also to let them know that Care is taken for sending to Major King Navall Officer at Pocomoke District for the rest of the Acc^{ts} in his hands, which is suddenly Expected will be here, but they may make the best Computation it is to be Supposed from the Book of Entries where every years accounts are Summed up but neither from thence can they make any certain Calculation; The incomes thereof being Various and different every year according to the number of Shipping coming here, and the Crops of Tobacco here made.

Sent also by them the Message last Drawn up yesterday and the severall Bills therein Mentioned.

Also the Address Signed by this Board sent to the house to be Signed there

Produced and read a Letter from M^r Griffith Jones to the Governor Viz^t

May it please your Excellency

The Account that I can give to your Excellency concerning M^r Lillingstone and the Transactions of him and his Complices at a Court held in Talbot County the third Tuesday in february last is as follows Viz^t That the said M^r Lillingstone Came to Court on Tuesday morning and taking an Upper room in the Court house Continued there untill Friday following, during which time he and his Associates were Drinking: That M^r Finney and other Gentlemen of the Court being in Company with M^r Lillingstone It was Demanded by some of his Company by what Power or Authority they held a Court, that the Company that M^r Lillingstone had were such persons as were disaffected to the present Governm^t That on Thursday Night following the Court breaking up that Evening some of M^r Lillingstone Company leaving him in the room, went down and did put their heads into the Pillory and others took their horses and rid into the Court and did carry their horses upon the Bench where the Justices did usually sit, the next

U. H. J. Day the said M^r Lillingstone and his Company Bespoke a Dinner to be brought to the water side and a Table to be there where they did Carrouse that Day, and the Company would have a name of the Meeting what their Meeting should be called by, and it was answered a Convention M^r William Finney can give your Excellency a more larger Account, and also the names of the Persons of that Society who is ready when your Excellency requires; I am

Your Excell^{ys} most humble & Obedient Servant
Griffith Jones.

16th May 1692

The Information of M^r William Finny of Talbot County saith That in February last M^r John Lillingston in Company with Michael Earle, Joseph Green, John Hinson, Thomas Smith, Joseph Lambert and severall others which the Informant cannot remember Came to Talbot County Court during their sitting and holding Court in the said month of February, and took a room in the Court house over the Commissioners Chamber one day during the said Court the said Thomas Smith Came into the Commissioners Room, and asked them by what Authority they held Court. The Informant asked him how he dare ask such a Question but he had denyed he had said so, M^r Edmondson being present walked along the
p. 624 Roome Averred he did so, the Informant (to the best of his Remembrance) called him Impudent fellow or such like Term, and Commanded him out of the Room; The Day following and the Court being over, the Informant having some Business, and coming to the Court house he saw a great Deal of Victualls coming out of the Court house, and Carrying into the field, and meeting with M^r Salter the man of the house, he asked the Informant if he would not go to Dinner with them, The Informant asked him with whom so the said Salter told him of the whole Gang; but hearing by M^r Griffith Jones, and the said M^r Salter what mad pranks they had played the night before; The Informant refused and did not go among them, for he was told they had been drinking all night, some of them had ridd their horses into the Court house, some in their frolicks had put themselves into the Pillory and there they Drank that Day at the Point they were so drunk that they fell together by the Ears; and Michael Earle flung Joseph Green in the Water and Lillingstone fell to Cursing Michael Earle &c. And in their frolicks they would give a Name to their place of Meeting, and Lillingston he said it should be called the Convention; but others said no, that would be too broad; It should be Called Lambeth Hall, the aforesaid Company continued in their frolicks for the space of four Days or thereabouts.
William Finney.

Ordered that Coll George Robotham Call before him the U. H. J. aforesaid John Lillingstone, and other the persons in the foregoing Information Mentioned, and take Bond with good Security for each of them to appear at the next Provincial Court to answer what shall be Alledged against them on their Majestys Behalvs; and for their good Behaviour in the mean time, and that John Salter M^r Finney and M^r Griffith Jones be Summoned as Evidences against them

Memorandum as to what words was Spoken by M^r Francis Perkins Merchant of London on the 28th Day of April 1692 at London Town in Ann Arundell County in the hearing of us whose names are underwritten Viz^t the said Perkins said that he was on Board Captain Browns Ships in Plymouth when Captain Cood came on Board the said Ship, and the said Cood enquired of the said Brown for one Benjamin Ricard who he Expected to find there bound for Maryland, But the said Brown did tell him that no such person was there; Whereupon the said Captain Cood desired the said Brown to permitt him a passage on Board the Ship Bayley, M^r Peregrine Browns Ship riding in the same Harbour, and the said Cood going on Board the said Ship with Captain John Brown where the said Cood met with the said Benjamin Ricard, and there delivered unto him a Pacquet of Letters directed to this Province of Maryland for their Majestys Service; But after the two Browns Ships were out at Sea, and Coll Coursey & Captain Hynson Passengers in the said Peregrine Browns Ship & M^r Lillingstone and M^r Lingan Passengers in John Brown's Ship, they made many Visits some times on Board one Ship and the other; & Coursey, Hinson, Lillingstone, Lingan with M^r Peregrine Brown and some others in the said Ship did all Agree and Resolve to make a private Search in the said Ship to find out the said Pacquet of Letters and if they could by any ways find them out was all agreed to break them open and see the Contents what was in them but could not tell whether the said Letters was found or not no other- p. 625. ways then that he did hear the said Ricard say that such a Pacquet of Letters had been taken out of his Chest.

Nicholas Greenberry
James Saunders
William Hopkins

Whereupon it is the Opinion of this Board and Ordered that Coll Nicholas Greenberry do Cause to come before him the afore named Francis Perkins and (if he be bound back for England this Shipping) to take his Deposition what he knows

U. H. J. in the premisses otherwise if he shall Continue in the Country to bind him to the next Provincial Court to Testifie the same Viva Voce.

Summons also to issue to Edward Felks to appear at the next Provincial Court to Testifie the Truth of his knowledge on behalf of their Majestys and to answer what shall be proposed to them, the said Summons to be directed both to the Sheriff of Ann Arundell County and of Baltimore County

The like Summons to Richard Wharfield to Ann Arundell County

A Message from the house by M^r Hawkins, M^r Boothby & M^r Hoskins Viz^t

By the house of Assembly 21st May 1692.

This house do think Convenient that every County Court within this Province should have an Escutcheon & Seal with his Majestys Coat of Arms thereon belonging to it, And do therefore humbly desire your Excellency will be pleased to give Order for the same to be brought in, and that the name of the County to which each Seal shall Belong be put Round the said Seal and the Charge thereof, this house has Ordered shall be reimbursed by the said Counties.

Signed p^r Order Henry Denton Cl Assembly.

Together with the foregoing Message was delivered these following Bills Viz^t

An Act relating to the Seizure of Tobacco, by the Sheriff Endorsed Viz^t

May the 21 1692 read and passed first Reading.

An Act concerning Negroes and Slaves read the first time and it is the Opinion of this Board that imposing Slavery on the Children of white People is too Severe, recommend the Same to be Moderated, and the time of Servitude Limited as formerly to 31 years.

The Act for restraining the unreasonable Increase of Horses &c. read first time.

M^r Winn, M^r Tasker, & M^r Mason from the house with the Address sent them, they Approve of the same with the Amendment in the Title of the ffreemen of their Majestys Province of Maryland by their representatives in a General Assembly met together (as it is before Entered; instead of the Freemen of their Majestys Province of Maryland Generally Assembled and met together) as the Same was before that Expressed.

Summons Ordered for John Salter to appear before the Board to Testify against M^r Lillingstone, the same issued as follows Viz^t

By his Excell^y the Governor and Council 21 May 1692. U. H. J.

Ordered that the Sheriff of Talbot County do forth with upon Sight hereof Summons and give notice to John Salter of Talbot County Innholder, that all Excuses set apart he be and appear before this Board; or before his Excellency the Governor with all Convenient Speed to Answer and Testify the Truth of his knowledge to such matters and things as shall be proposed unto him on Behalf of their Majestys, whereof he is not to fail as he will Answer the Contrary at his utmost p. 626 Perill.

Signed p^r Order John LLewellin Cl.
To M^r Samuel Withers High }
Sheriff of Talbot County these }

Came M^r Boothby from the house and delivered the following Message

By the house of Assembly 21 May 1692.

This house does desire that your Excellency will be pleased to appoint Monday next for the Conference Mentioned in your last Message sent hither at which time they will be ready to Attend the Same.

Signed p^r Order Henry Denton Cl Assembly

To which the Board Ordered Answer to be returned in writing as foll Viz^t

By his Excellency the Governor & Council in Assembly
May the 21st 1692

Monday next is appointed for the Conference and the house is desired to Attend his Excellency and this Board in the Council Chamber at Eleven a Clock in the forenoon of the same Day.

Signed p^r Order John LLewellin Cl.

The severall Bills before the Board taken into Consideration read and Remitted to the house with the following Message concerning the Same.

By his Excellency the Governor and Council in Assembly
May 21st 1692.

These Bills following Viz^t for securing Merchants & others Tobacco &c.

Prohibiting Arrests on the Sabbath Days &c. Declaring what shall be done by the Sheriffs ex officio; Concerning the height of fences; against burners of fences; relating to the

U. H. J. Seizure of Tobacco by the Sheriff; Concerning Negroes and Slaves; & for the restraining the unreasonable increase of horses &c. have all been read here once, as to the Act concerning Negroes &c. it is the Opinion of the Board that the imposing of Slavery on the Children it seems to be severe, and rather propose the Limiting their time of Servitude to 31 years as formerly, the rest of the aforesaid Bills (except that for the restraining the Increase of horses &c which is referred to the Conference, are herewith Remitted to the house without Alteration.

Signed p^r Order John LLewellin Cl.

The said Bills and both the foregoing Messages sent to the house by Coll Brown and Coll Hutchins.

Adjourned till Monday Morning 10 a Clock.

May the 23^d 1692 Met in Council Chamber Viz^t

	His Excellency the Governor			
The honourable	{	Coll Blackiston	Coll Greenberry	
		Coll Jowles		Coll Hutchins
		Coll Robotham		Coll Brown
			} Present	

The following Bills were brought hither from the house and delivered by M^r Dent and M^r Boothby to the Clerk on Saturday last after this Board was Adjourned

An Act for the Preservation of the several Harbours &c. 21 May read the first time

An Act for Limitations of Actions &c. May 21 read 3^d time

p. 627 An Act against Hogstealers & May the 21 read 2^d time

An Act securing Merchants & others Tobacco^s &c. May 21 read 2^d time

An Act for Marking high ways &c. May 21st read 2^d time

An Act Prohibiting Arrests on Sabbath Days &c. May 21st read 2^d time

An Act against Burners of Fences May 21 read 2^d time

An Act Concerning the height of ffences May 21 read 2^d time

An Act declaring what shall be done by Sheriffs ex officio May 21 read 2^d time

Thomas Courtney of S^t Maries County being Summoned and ordered to appear here before this Board upon an Information and Complaint made by his Malatto Girl against him for having maimed and dismembered her by Cutting of both her Ears close to her head accordingly Came and made his Appear-

ance: being charged therewith he Confessed that being sev- U. H. J.
eral times urged and provoked by the many Villanous Actions
of the said Servant in Theiving & frequent running away &c.
without any hopes of Amendment he was forced at last to use
that Severity towards her in order to reclaim her, thinking
that as his Slave, he might do with her as he pleased; He is
Ordered a while to withdraw.

Mr Dent from the house came to desire this Board to remitt
what Bills lay before them to the house, for that their Clerks
were now ready to go about Engrossing the Same

Proceed to reading the said Bills Viz^t

The Act for Preservation of severall Harbours &c. read
here the third time (Remark) the Terminative part (if any to
be) being by reason of the Obliteration rendered Imperfect
wants Amendment.

The Act for Limitation of Actions &c. read here 2^d time

The Act against Hogstealers &c read 2^d time here &
referred to further Consideration

The Act relating to Seizure of Tobacco by the Sheriff read
here 2^d time

The Act for securing Merchants & others Tobacco^s &c.
read here 2^d time

The Act for marking high ways &c. read here 2^d time
(Remark) there ought to be a fine Imposed upon the Over-
seers for their neglect as well as upon the Commissioners and
the Labourers by them Appointed for any Defect in them.

The Act Prohibiting Arrests on the Sabbath Days &c. read
here 2^d time

The Act Declaring what shall be done by the Sheriffs
ex officio read 2^d time

The Act against Burners of Fences; read here the 2^d time

The Act Concerning the height of Fences; read here the
2^d time.

The Speaker and other the members of the house attend
the Board in Conference & proceed to the same in relation to
the several Bills offered by them this Sessions Viz^t

The Act for Recognition. They agree to the Amendment
desired.

The Act against Hogstealers &c. Referring to another
Act, they say that Act is now revived so the Penalty Ascer-
tained, but they are desired to Consider of some other Penalty
then Cropping &c. as not suiting with his Excellencys Instruc-
tions to inflict any such Punishment Contrary to the Laws of
England, and therefore propose Servitude or other Penalty
more Suitable to the fact, They will consider of, and as the
Onus Probandi do lye upon the Party with whom found they

U. H. J. are willing the Party Accused or Suspected should be put to prove where he had it.

The Act for Enrollment of Conveyances &c. as to the fees therein Mentioned Alledged by the Board to be Vested in the Governor and Council to Ascertain; They say it is the Privilege of the Freemen of this Province not to have any fees Imposed or Extorted from them but by their own Consent in Assembly, And this they have Unanimously Voted in their house to be their undoubted right, backed by Magna Charta. His Excellencys Instructions in that particular read, to them authorizing him with his Council to Regulate the Officers fees in this Province, They recite severall Statutes of England shewing the Settlement of all fees to be by Act of Parliament To which is Answered that the Governor and Council does not take upon them, nor is it intended, Settle or New found any fees of themselves, but his Excellency, where Occasion shall be for the Ease and Satisfaction of the People and for their relief against Oppression, may and hath power with the Advice of his Council to regulate and moderate those fees already Settled or hereafter to be Appointed as he shall see fit and Convenient; They say that such Provision will be made for that in another Act now preparing for Officers fees; as they doubt not will give his Excellency full Satisfaction in that point.

His Excellency proposes to them the making indefinite and not Temporary what Laws they shall think fitt to make as good and wholesome for the Inhabitants and their good Government thereby to save the Charge of Assemblys meeting on purpose to revive those Laws, and if at any time hereafter any of them become Burthensome or grievous they may be repealed and made Void; To which they answer that they have Sufficiently Experienced the ill Consequence of perpetual Laws so Called as to give them Caution of being too forward in passing too Many of that kind again; But for what Bills are preparing now; if his Excellency shall not think fit or Safe for him to pass them as they are drawn, and shall please to Signifie his reasons therefore to the house, they will endeavour to give him Satisfaction therein & Comply with anything reasonable.

The Act for marking high ways &c. they consent to Impose a Penalty on the Overseers for their Defect as desired.

Recommended to them the making of a Law in favour of Negroes & Slaves to prevent the Barbarous Tyrrannical and Inhumane usage of them as is too much Practiced by some People here, They consent thereto and will accordingly provide by a Law Declarative of the Laws of England in such like Cases.

They desire and move that the Enacting part of all the U. H. J. Laws now to be passed may (according to the President and Example of all Our Neighbouring Colonies) be Expressed by King and Queens most Excellent Majesties by and with the Advice and Consent of this present General Assembly &c. which is approved of and Consented to by the Board.

The Act restraining the unreasonable Increase of Horses &c. the reasonable time for their cutting ought to be Ascertained, and not left in Doubtfull Terms, They referr that to his Excellency to prefix the time when to be cutt, and then as for their Stature the same to be Adjudged by the next Magistrate

Proposed to them the preparing a Law for Securing their Majesties Debts fines and forfeitures; They Concurr therewith and will provide for the same as formerly hath been for the Lord Proprietary, The Conference breaks up.

The Act against Hogstealers &c. read the 3^d time here.

The Act for more Speedy bringing to Tryal & Suppressing Criminals read hear 2^d time

The Act restraining the unreasonable increase of horses &c. p. 629 read here 2^d time

Thomas Courtney called in and is Ordered good Security to find for his and his Wifes Appearance at the next Provincial Court to answer &c. and in the mean time to be of good Behaviour.

The Acts for the Preservation of the Several Harbours &c. for Limitation of Actions &c. relating to Seizure of Tobacco &c. for securing merchants & others Tobacco &c. for marking high Ways &c. Declaring what shall be done by the Sheriffs Ex officio &c. Prohibiting Arrests &c Burners of fences &c. Concerning the heighth of Fences &c. against Hogstealers. Concerning Criminals &c. sent to the house by Coll Hutchins & Coll Brown together with the following Message Viz^t

By the Governor and Council in Assembly 23 May 1692.

With the several Bills herewith sent, This Board recommend to the house the several Amendments and Alterations treated of at the Conference, particularly in the Act for Hogstealers & that for the speedy bringing to Tryall & Suppressing Criminals &c the party with whom the thing Stolen shall be found, may be Obligated to prove how when or where he or she came by the same, and for want of such Proof to be convict &c the Obliteration in the Terminative part rendering it Deficient and Imperfect ought to be amended but more Necessarily and reasonably totally & Concluded in this as in other Acts to be passed this Sessions for the good and Benefit of the Country.

U. H. J. In the Act for Marking high ways &c. a Clause to be Added imposing a Penalty on the Surveyors as well as the Commissioners and Labourers for their Neglect. A Law to be made Restraining the Barbarous and inhumane usage of Negroes and Slaves. The time for cutting Horses to be in Six weeks after taking up, and their Stature to be adjudged by the next Magistrate. a Law to be provided for securing their Majestys dues fines and forfeitures &c. what other Amendments were Treated of or shall be thought necessary the house is desired to Consider of & proceed accordingly.

Signed p^r Order John LLewellin Cl.

Adjourn for an hour

Met again present as before

Came M^r Boothby, M^r Wynn, M^r Dent, and M^r King from the house with the following Message, which they Deliver & retire Viz^t

An Act for Appointment of certain Officers Endorsed 23^d May 1692 read first time

An Act Prohibiting Arrests on the Sabbath Days &c. May 23 read 3^d time

An Act for Limitation of Actions &c. May 21 read 3^d time

An Act relating to the Seizure of Tobacco &c. May 23^d read 3^d time

An Act for Enrollment of Conveyances May 23 read 2^d and 3^d time

An Act appointing Commissioners in each respective County May 23^d read first time.

An Act Prohibiting Trade with the Indians &c. May 23 read first time

An Act Prohibiting Commissioners &c. to plead as Att^{rys} read & passed the house the 1st reading 23 May 1692.

An Act for Marking high ways &c. May 23^d read 3^d time

An Act for Regulating Ordinarys &c. Endorsed May 23^d read first time

An Act Securing Merchants and others Tobacco &c. May 23^d read first time

Brought from the house by M^r Wynn & M^r Dent these following Bills Viz^t

An Act for the more Speedy bringing to Tryall and Suppressing Criminals &c. Endorsed Viz^t May 23^d read the Second time.

p. 630 An Act against Hogstealers &c. May 23^d read 3^d time

An Act restraining the unreasonable increase of horses May 23^d read Second time being Amended.

An Act concerning proceedings at Law, May 23^d read first time

An Act for Amerciaments &c. May 23^d read first time U. H. J.

An Act Imposing a Penalty on all such as shall dispose of Tobacco Seized or received &c. May 23^d read first time

Ordered to be read the said Bills here Viz^t

The Act for the more Speedy bringing to Tryall and Suppressing Criminals &c the 2^d time read here; remark. The amendment agreed on, that as to the proof of the fact especially concerning Meate Stolen not to be proved or very rarely, but by purging the Party and used upon Oath, It is desired that it may be accordingly Provided for, either in this Act, or that other against Hogstealers.

The Act for restraining the unreasonable increase of horses &c. laid by till such time as the house have discoursed Coll Darnall concerning his Demands

The Act prohibiting Arrests upon the Sabbath Days &c. read here 3^d time

An Act for Limitation of Actions read 3^d time

The Act relating to the Seizure of Tobacco &c. read 3^d time

The Act for marking high ways &c. with a Clause for a fine on the Overseers for their Neglect read 3^d time.

The Act for Securing Merchants & others Tobacco &c 3^d time read

The Act for regulating Ordinaries &c. read first time & laid by to be Considered.

The Act prohibiting Commissioners &c. to plead as Attorneys read first time.

The Act Prohibiting Trade with the Indians; first time read.

The Act appointing Commissioners in each respective County; first time read

The Act for Enrollment of Conveyances &c. 2^d time read this Especially to be indefinite

The Act for appointing certain Officers 1st time read; Remark the Act of Parliament of England touching persons of tender Conscience ought to be Considered and in no wise to be Repugned.

The Act concerning proceedings at Law first time read.

The Act imposing a Penalty on all such who shall dispose of Tobacco Seized or received p^r the Sher: or others &c. first time read.

These Severall Bills following Viz^t for Amerciaments. Imposing a Penalty on all such who shall dispose of Tobacco &c. Concerning proceedings at Law for Appointment of certain Officers, for Enrollment of Conveyances &c Appointing Coroners &c. Prohibiting Trade with the Indians for flesh &c. Prohibiting Commissioners &c to Plead &c. for securing merchants & others Tobacco &c. for Limitation of Actions &c.

U. H. J. Prohibiting Arrests on Sabbath days &c. Against Hogstealers &c. Speedy bringing to Tryall Criminals; all remitted to the house with the following Message Viz^t

By his Excellency the Governor & Council in Assembly
May 23^d 1692.

This Board according to the request of the house have sent them the severall Bills, before them, some few only reserved
p. 631 for further Consideration, The Act against Hogstealers is not provided for (as to the point of Proof) as was agreed on, it is desired that either in this or that other Act for the more speedy bringing to Tryall of Criminals &c that defect may be Supplied, In the Act for Appointment of certain Officers, there ought to be a provision made for Persons of tender Consciences in some points as the Act of Parliament directs that it may not be repugnant thereunto. All or most of the Bills ought to be indifinite only such as are of themselves of a Meere Temporary nature being made such, and with the aforegoing Amendments Alterations or Additions with what also was discoursed off, at the Conference this Board (if the house pass them into Acts) will Concurr therewith.

Signed p^r Order John LLewellin Cl.

M^r Benjamin Scriviner Sworn Sheriff of Ann Arundell County and also took the Oaths appointed by Act of Parliament instead of the Oaths of Allegiance and Supremacy.

His Excellency delivers to the Clerk these following Bills sent from the house Viz^t

An Act for Encouragement the Importation of Negroes &c

An Act for Encouragement of such Persons as will undertake to Build Water Mills.

An Act providing what shall be good Evidence to prove foreign Debts

An Act for Publication of all the Laws of this Province all thus Endorsed Viz^t May 23^d 1692. read first time

Adjourn till to Morrow Morning 10 a Clock

May the 24th 1692 Council Mett

Present

His Excellency the Governor	
{ Coll Blackistone }	Coll Greenberry }
{ Coll Jowles }	Coll Hutchins }
{ Coll Robotham }	Coll Brown }

Brought from the house by M^r Wynn and Major Campbell these following Bills Viz^t

An Act for the more Speedy bringing to Tryall and Sup- U. H. J.
pressing Criminalls &c May the 24th read the 3^d time.

An Act against Divulgers of false news read and past the
first time

An Act for Naturalization of John Ouldson & Mathias Van-
derheyden May 24th 1692 read first time

An Act for Payment of fees, due from Criminal persons
May 24th 1692 read first time.

An Act for killing of Wolves May 24th 1692 read first time

An Act against those Servants that have Bastards &c May
24th 1692 read the first time

An Act concerning what shall be Allowed to Grand Jurys
that are Summoned out of the Body of this Province to serve
at Provincial Courts May 24th 1692 read first time

An Act for Stay of Executions after April Court May 24th
1692 read first time

An Act prohibiting Masters of Ships &c from Transporting
any Persons out of this Province without passes May 24th
1692 read first time

An Act Empowering the Commissioners of the County
Courts to Levy and raise Money to Defray the necessary
Charges of their Counties May the 24th 1692 read first time.

Came M^r Hammond from the house with this following
Message Viz^t

By the house of Assembly May 23^d 1692.

This house has appointed a Committee to inspect and
Regulate all Publick Accounts, and have thought fit to Signify
to your Honours to the End your Honours may (if you think
it Necessary) send two of the Gentlemen of that Board to p. 63²
joine with the said Committee.

Signed p^r Order Hen: Denton Cl Assembly.

Answer sent by Coll Hutchins as follows Viz^t

By his Excellency the Governor and Council in Assembly
May the 24th 1692

By reason of the Absence of some of the Members of this
Board upon urgent Occasions permitted to go home, they
cannot Spare any more to Join in Committee with those of
the house appointed to inspect the Publick Accounts without
breaking their Quorum, the house therefore is desired to Sus-
pend the proceedings of the said Committee till to Morrow
by which time, it is hoped the Absent Members of this Board
may return

Signed p^r Order John Lewellin Cl.

U. H. J. Ordered to be read the severall Bills delivered the Clerk last night Viz^t

The Act for Encouragement of the Importation of negroes and Slaves into this Province first time read

The Act for Encouragement of such Persons as will undertake to Build Water Mills first time read.

The Act providing what shall be good Evidence to prove foreign Debts first time read.

The Act for Publication of the Laws within this Province first time read.

Proceed next to read the Severall Bills this Day brought by Mr Wynn and Major Campbell and accordingly was read as follows Viz

An Act for more Speedy bringing to Tryall and Suppressing Criminals &^c 3^d time

An Act against Divulgers of false News first time

An Act for Naturalization of John Ouldson & Mathias Vanderheyden first time

(Remark) Reccommend to the house the renewing or passing of a new Act for the Naturalization of all those Persons gratis that formerly in Governor Notleys time were Naturalized and paid all the Charges thereof, but afterwards those very Bills were unadvisedly (amongst others then passed) by his Lordship Deemed and declared Null & Void.

An Act for payment of fees due from Criminal persons first time read & to be Considered

An Act for killing of Wolves first time

An Act concerning those Servants that have Bastards 1st time (Remark) It seems more proper to Oblige the Father to save the County harmless, than impose Marriage

An Act concerning what shall be allowed grand Jurys &^c first time (Remark) the Allowance to be Levyed in the respective Counties as expressed in the Bills, but to be made good to the Sheriff of St Maries County and he Obligated to take care for their Accomodations and be accountable to them for the same.

An Act for staying of Executions after April Court first time

An Act Prohibiting Masters of Ships to Transport any without passes, first time.

Brought from the house by Mr Clerk and Mr Dorsey the following Bills V^t

An Act for the publication of Marriages May 24th 1692 read first time

An Act for the Constables taking the list of the Taxables May 24th 1692 first time

An Act for Easment of the Inhabitants of this Province in Suits at Law for small Debts May 24th 1692 Read the first time U. H. J.
p. 633

An Act for Quieting Possessions May 24th read first time

Coll: Jowles and Coll Brown sent to the house, with this following Message, & the severall Bills relating thereto and read this Day in this house Viz^t

By his Excellency the Governor & Council in Assembly

May the 24th 1692.

Whereas in the time of Governor Notley (amongst other Acts then passed severall private Bills in favour of severall Aliens Inhabitants of this Province, for their Naturalization, and for which they duely paid and Satisfied their fees and charges accruing; were afterwards by the Lord Baltimore unadvisedly by Mistake or otherwise Dissented, Anulled and made Void and the Parties thereby deprived of the Benefit thereof Notwithstanding their great charges and Expences therein, this Board think fit to recommend the same to the Consideration of the house in giving Relief to the Persons Concerned by passing a new Act this Sessions for that purpose.

In the Act concerning those Servants that have Bastards the Imposition of Marriage seems to this Board too Severe and unreasonable, and therefore instead thereof, they do propose the Obliging the Party to Indemnify and save harmless the County from charge &^c as in the said Act is Specified. The Allowance made for the Grand Jurors this Board do think it more proper to be Ordered and paid to the Sheriff of St Maries County, Obliging him to take care for their Accommodation and be Accountable to them for the Same, rather than leave them to the Management of an Ordinary keeper to be treated as he shall think fit

Signed p^r Order John LLewellin Cl.

The Act against the Divulgers of false news being of great Import & Concernment to the Peace of the Province, this Board conceives it not Strict and full enough to prevent the Inconveniency arising from the Breach thereof, and therefore desire the house to take the same again into their Consideration.

Adjourn for an hour

Mett again as before

Also Capt: Addison and Capt: Courts make their appearance

Ordered to be read the severall Bills last brought by Mr Clark and Mr Dorsey and accordingly were read Viz^t

- U. H. J. An Act for Publication of Marriage first time
 The Act for the Constables taking the list of Taxables first time.
 The Act for Appointment of certain Officers first time the Act of Parliament to be Considered
 The Act for Easement of the Inhabitants in Suits at Law Viz^t first time.
 The Act for Quieting Possessions &^c first time.

By the Governor & Council in Assembly 24 May 1692.

In the Act for appointing certain Officers the penalty imposed upon the Persons therein Specified for refusing to take the Oaths ought to be Distinguished Viz^t (for refusing to take the Oaths appointed by Act of Parliament to be punished according to the said Act and for refusing to serve; the same Penalty as in the said Act for Appointment of certain Officers is set down. Signed p^r Order J LLewellin Cl.

The Bill for relief of negroes and Slaves not being yet offered to this Board, Ordered that a Message be drawn up and Sent to the house to put them in mind thereof. And
 p. 634 also therein to Manumit Courtneys Malotta Girl for the Barbarous usage & Cruelty, she hath Suffered from her said Master and Mistress.

By his Excellency the Governor and Council in Assembly.
 May the 24th 1692.

This Board think fit to put the house in Mind of preparing a Bill for the Relief of Negroes and Slaves from the barbarous and inhumane usage of unreasonable Masters &^c too frequently practiced in this Province Recommended to them by his Excellency yesterday at the Conference and particularly think it but Just and reasonable that the Malotta Girl of Thomas Courtneys, born of an English Woman, and a Christian, having both her Ears Cropt close to her head by the hands of her Tyrannicall Master and Mistress be forthwith Manumitted and Set free, the least Recompence can be bestowed upon her for so barbarous a Cruelty, and that a Clause for that purpose be inserted in the said Bill.

Signed p^r Order John LLewellin Cl.

Sent to the house by Coll Brown together with these five foregoing Bills last read and the Message of this Board relating particularly to the Act for Appointment of certain Officers

M^r Boothby and Captain Hoskins from the house present these following Bills Viz^t

An Act against those Servants that have Bastards. Endorsed Viz^t Read 2^d time with the Alteration as desired.

An Act concerning what shall be allowed Grand Jurys &^c U. H. J. read 2^d time with the Amendm^t desired.

An Act prohibiting Masters of Ships from Transporting Persons without passes read 2^d time

An Act Empowering Commissioners to lay the County Levy &^c read 2^d time.

An Act for the Encouraging the Importing of negroes read 2^d time

An Act providing what shall be good Evidence to prove foreign Debts, read 2^d time

An Act for Publication of all the Laws &^c read 2^d time.

An Act for Naturalizing John Ouldson &^c read 2^d time

An Act for killing of Wolves; read 2^d time

An Act for Encouragement Building Water Mills read 2^d time

An Act for stay of Executions after April Court read 2^d time

All the said Bills Ordered to be read distinctly to the Board and were accordingly read the Second time

M^r Clark from the house requests their honours to remitt what Bills lay before them to the house.

Accordingly they were Sent by Captain Courts

And Adjourn till to Morrow Morning 10 a Clock

May 25th 1692 Met in Council Chamber Viz^t

The honourable	{	Coll Blackistone	{	Coll Brown	}
		Coll Jowles		M ^r Tench	
		Coll Robotham		Captain Addison	
		Coll Greenberry		Captain Courts	
		Coll Hutchins			

Came M^r Boothby and requested of their honours that they would please to remitt what Bills they had ready to the house he is told they shall be sent them p. 635

Severall Bills brought from the house last night after the rising of this Board and Delivered the Clerk by M^r Winn the Attorney General Viz^t

An Act concerning Negroes and Slaves Endorsed Viz^t May 23^d passed Second time & Referred to the Committee for the Adding a Clause in relief of Slaves against the Severity of Masters &^c in Case of dismembring &^c

The above Clause is added relating to Servants and Slaves May 24th 1692 Read the 3^d time

Read here Second time and referred to further Consideration

U. H. J. An Act against the Importation of Convicted felons into this Province Endorsed May the 24th 1692 read first time. read here first time.

An Act Securing Creditors Endorsed May 24th 1692 read 1st time read first time here

An Act for Publication of Marriages Endorsed read 2^d time read here Second time.

An Act for Quieting Possessions (Endorsed) read 2^d time. read here 2^d time.

An Act for Easement of the Inhabitants of this Province in Suites at Law &c Endorsed read 2^d time. Read here 2^d time.

An Act for Constables taking List of Taxables Endorsed read 2^d time, read here 2^d time

The Act concerning Negroes and Slaves this Board Conceives may be much Abbreviated and the Marriages therein Mentioned better and more Effectually prevented by laying more Severe Penalty, on all Priests, Ministers Magistrates or others whatsoever who shall presume to Marry any Such; and that any white Man or Woman that shall Begett or have Begotten a Bastard Child by a Negroe shall be Compelled to Serve Seven years only, and not during Life Contrary to the Laws of England, for the Benefit of the Poor of the Parish &c No Provision made in the said for relief of Slaves and Negroes against the Severity of their Masters &c according to the Endorsement of the house.

This Act referred to further Consideration when his Excellency shall be present

All the rest of the Bills remitted to the house by Mr Brook

Came Mr Wynn and Captain Hoskins from the house and presents these following Bills Viz^t

An Act against Engrossers and Regrators, (Endorsed May the 25th read first time) read here first time.

An Act for better Administration of Justice in the County Courts &c Endorsed May the 25th 1692 read first time. read here first time.

An Act for keeping a Register of Births Marriages & Burials &c Endorsed May 25 1692. read first time read here first time and ought to be indefinite

An Act Ascertaining what shall be Allowed upon Protested Bills of Exchange May 25th 1692. read first time read here first time.

An Act for the due recording all the Laws of this Province in the Secretarys Office (Endorsed May 25th 1692 read first time: read here first time.

An Act Restraining the Exportation of Leather & raw hydes Deer and Elk Skins out of this Province for the Encour-

agement of Tanners and Shoemakers) Endorsed read first U. H. J. time, read here first time ; The said Act to Commence and be in force in each respective County when Published.

An Act for Limitation of County Clerks fees (Endorsed p. 636 May 25th 1692 Read first time) read here first time Let there be a Salvo in the said Act for the Kings Prerogative to Mitigate and regulate the fees for the Ease and relief of the People as Occasion may happen.

An Act for Appointment of certain Officers, (Endorsed May 25th read the Second time with Amendment,) read here the Second time and passed

An Act for Limitation of Officers fees (Endorsed May the 25th 1692 read first time) read here first time and referred till to Morrow.

An Act for preventing Vexatious and unnecessary Suites at Law (Endorsed May 25th 1692 read first time) read here first time.

An Act for Appeals and Regulating Writts of Error (Endorsed May 24th 1692 read first time and Voted that no Appeal shall be brought under the Sum of 1200^{lb} of Tobacco, and again May 25th read 2^d time) read here first time and referred till to Morrow for further Consideration.

His Excellency Enters to the Board

Adjourn for an hour.

Mett again and present as aforesaid

Came M^r Wynn from the house and requested this Board to send what Bills they had ready to the house which was promised should be sent

The Acts against Engrossers &^c for the better Administration of Justice &^c for Registring the Laws &^c Restraining the Exportation of Leather &^c Limiting Clerks County fees &^c Appointing certain Officers &^c all Endorsed with the Remarks of this Board as before, and sent to the house by Captain Courts

The Act concerning Negroes and Slaves, and that other for preventing of Vexatious and unnecessary Suits at Law, also Endorsed and sent down, by M^r Tench and Captain Addison, they return and say the house is adjourned.

Brought and Delivered here by Captain Whittington and M^r Ennalls as follows Viz^t

An Act for Recording the Journal of the house of Assembly (Endorsed May the 25th 1692 read first time ;) read here first time.

An Act for Encouragement of Tillage &^c (Endorsed May 25th 1692 read first time) read here first time.

An Act against Excessive Usury (Endorsed May the 25th 1692 read first time) Read here first time.

U. H. J. An Act appointing Court Days in each respective County within this Province (Endorsed May the 25th 1692 read first time) read here first time

An Act Limitting the Extent of Attachments &^c (Endorsed May 25th 1692 Read first time) read here first time.

Adjourn till to Morrow Morning 10 a Clock

May the 26th 1692
Mett in Council Chamber Viz^t

p. 637

Present

His Excellency the Governor				
The honourable	{	Coll: Blackistone	{	Coll Brown
		Coll. Jowles		Captain Addison
		Coll Robotham		M ^r Brooks
		Coll Greenberry		Captain Courts
		Coll Hutchins		

Sent by M^r Brooks to the house these following Bills V^t for Appointing Court Days in Each County, against Excessive Usury, for Encouragement of Tillage &^c for Recording the Journal of the house, for preventing Vexatious and unnecessary Suits at Law, Concerning Negroes & Slaves &^c

The Board proceeds to reading Several Bills before them Viz^t An Act for the Service of Almighty God and the Establishment of the Protestant Religion in this Province (Endorsed Viz^t) read and passed first reading, read here first time (Remark) The Ministers to be one of the Vestry according to his Excellencys Instructions and a Clause to be incerted Empowering the Vestrymen with the Advice and Assistance of the Commissioners to purchase and procure one or more Glebes in a County and in such places as there shall be occasion, or they shall see Convenient Viz^t One Glebe in a Parish each Glebe to Consist of fifty Acres of Land at the least and not under.

M^r Tench and Captain Addison Nominated to Join in Committee with those Appointed by the house.

Came M^r Dent & M^r Clark from the house with the Act Concerning Negroes and Slaves, they are Ordered by the house to speak to the Same

As to the Endorsement of this Board they Humbly conceive the Sense of their house in the said Act may be Mistaken, by the Board and they desire to Explain the same.

The Penalty Expressed in the latter Clause of the Act being 10000^{lb} Tobacco for such as should presume to Marry the Parties 10000^{lb} of Tobacco for the Master that shall suffer or

Connive at the same, and the Slave to be free, they conceive U. H. J. to be Penalty Sufficient & may Answer the design of preventing such Mungrell Marriages.

As to the word Slavery they do not use it in the Act, but Oblige all white Women that shall Marry to Negroe Men to be Servants during the Life of the Man whom they Marry although it may haply Amount to Slavery in Effect, yet is it not the same in Terminus, and may possibly prove otherwise, so that the Law of England is not Repugned.

Then as for the Children of such they say that Bastard Children born of white or English Women whose parents are not Able to Maintain them, are by the Law of the Country to be bound out till they come to 31 years of Age; and they conceive it but reasonable to make a Distinction between them and Negroes, and not to Equalize them in point of Servitude As to the relief of Negroes and Slaves against the Severity and Barbarous usage of unreasonable Masters &c they say they have provided for the same by an Act drawn up particularly for that purpose wherein they have also Manumitted Courtneys Mallatto Girle.

Brought also by the abovesaid M^r Dent and M^r Clark Together with the aforesaid Act of Religion &c An Act for the Elections of Members in the General Assembly Endorsed May 25th 1692 Read first time. p. 638

The Act Touching Indians read here Second time (remark) this ought to be indefinite.

Came M^r Boothby & M^r Hoskins, from the house with the Several Bills which they present to the Board, and desire that what Bills are here ready may be remitted to the house for Engrossment, the Bills by them now brought are Viz^t

An Act touching Coopers and the Gage of Tobacco hogs-heads Endorsed May the 26th 1692 read the first time.

An Act for preservation of Orphans Estates (Endorsed) May 26 1692 read 1st time.

An Act against the Exportation of Woole and old Iron (Endorsed May the 26th 1692) read first time.

An Additional Act for Ordinarys &c Endorsed May 26th 1692 read first time

Proceed to read the Severall Bills before the Board Viz^t

An Act concerning Wild horses, a Clause to be inserted prohibiting all Persons under a Severe Penalty to Range the Woods and hunt for Wild Horses without the Lycence from the Governor.

An Act for Limitation of Officers fees (Remark) the Chancellors fee for Transcribing and Transmitting the Laws to the several Counties now Omitted, ought to be Ascertained and inserted in the said Act.

U. H. J. An Act concerning Negroes and Slaves (Endorsed) the Remark of this Board May 26th 1692 Women Marrying with Negroes and Slaves, this Board still stick at the severity of Making them Slaves during the Husbands Life, and desire it may be Mitigated as before, their Children they are willing may serve to the Age of 31 years.

An Act for the Election of Burgesses &c (Endorsed) read here first time May the 26th 1692.

An Act for payment of fees due from Criminal persons (Endorsed) May 26th 1692 To be indefinite.

To the Act for Limitation of Officers fees were Added and (Endorsed) these further Remarks Viz^t Sec^y for Special Bayle Allowed but 12^{lb} of Tobacco Cryer 72^{lb} Tobacco unequall and unreasonable, Cryer for the good Behaviour 72^{lb} Tobacco Sec^{ry} nothing, the same, Cryer County Court for the Good Behaviour 72^{lb} Tobacco. Clk nothing as before Cryer for Clearing by Proclamation 80^{lb} Tobacco Sec^{ry} nothing the same, Cryer County Court for Clearing by Proclamation 72^{lb} Tobacco Clerk nothing the Same Cryer County Court Special Baile 36^{lb} Clerk but 6^{lb} the same Sec^{rys} fees for taking Oaths of Jurys Evidences &c wholly Omitted.

Came M^r Greenfield from the house and presents to the Board this following Petition Viz^t

To his Excellency &c
The Humble Petition of Thomas Griffin Master of the Ship
Industry,
Humbly Sheweth

That in Virginia they pay 40^{lb} Tobacco p^r Ton to the Car-
pinter and two and Six pence only to the Kings Collector,
Secretarys Office and Naval Office, that they pay no 2/ p^r hhd
Impost on Tobacco by any Ship that is Built in the Country,
nor 3^d p^r Gallon for Rum by any Ship so Built, That your
Honours would Endeavour for Encouragem^t of Trade of this
Country to propogate the Act of Navigation according to the
Book of Rates or the Laws of Oleron is the Scope of this
Petition.

And your Petitioner shall ever pray &c

By the house of Assembly May 25th 1692.

p. 639 It is the Opinion of this house that Encouragement should
be given to Ships Built in the Country, but the Method pursu-
ant thereunto they leave to his Excellency and Council to
prescribe Signed p^r Order Hen: Denton Cl Assembly.

The said Petition referred by this Board to further Consid-
eration

These following Bills Viz^t for Religion, Concerning Indians, U. H. J.
Against foreign Engrossers Concerning Horses; Election of
Burgesses, Concerning Negroes and Slaves, and for payment
of Criminals fees sent to the house by Captain Courts.

Adjourn for an hour

Mett again, and present as before

Came M^r Wynn and M^r Clark from the house with some
Bills which they are to Speak to. The Act for Limitation of
Officers fees, as to the first Objection the Ascertainig the
Chancellors fee for Transcribing the Laws &^c they say that
the Settlement as it was formerly was very unequall and
unjust for some times the fee there appointed might be too
much and other times nothing near the Value according as
the Laws to be transcribed might Extend to number or Length
of writing besides in the latter end of this Act there is a
Clause Empowering the Governor and Council (in such case
where any Service should happen to be done by the Officers
and no fees for the same Ascertained) to Settle and Ascertain
such fee as he shall think fitt, and as to the Inequality Alledged
between the Secretary and Clerks fees to the Cryers they say
that both the Secretary and the Clerks in other things have
other very Considerable fees Allowed them where the Cryer
has nothing and therefore in those few particulars they thought
fitt to Advance his fee.

The Act concerning Religion they think most proper to
consider of and make Provision for Glebes when the parishes
are Settled and Laid out.

The Act for Election of Members or Burgesses &^c they will
further Consider of and so take that back with them.

To his Excellency the Captain General & the honourable
Council in Assembly

The Humble Petition of Thomas Tench.

Humbly Sheweth

That your Petitioner has brought his Writt of Error against
a Judgment Obtained against him by William Hopkins in the
Provincial Court, which Errors are now Depending to be
Argued before your honours this Assembly, He humbly prays
a certain Day may be prefixed when your Petitioner and the
said Hopkins may attend your Excellency and this Honour-
able Board with their Attorneys to Argue the Same.

And he shall pray &^c

Monday next the 30th of May is appointed for hearing the
Errors and Ordered that Notice be given to the Parties with
their Council to Attend.

U. H. J. Ordered the reading of those Bills before the Board Viz^t
 An Act Regulating Ordinarys &^c read 2^d time and passed.
 An Act for Limitation of Officers fees read again and
 passed

An Act for Election of Sheriffs (Endorsed May 26th 1692
 read 1st time) read here and passed.

An Act Touching Coopers and the Gage of Tobacco hhds
 (Endorsed May 26th 1692 read first time) read here first time
 and ought to be indefinite.

An Act for preservation of Orphans reall Estates (Endorsed
 May the 26th 1692 read 1st time)

p. 640 Read here first time and passed

An Additional Act Regulating Ordinarys &^c Endorsed May
 26th 1692 read first time read here and passed.

An Act against the Exportation of Wooll and old Iron
 (Endorsed May 26th 1692, read first time) read here and
 passed.

Jacob Young called in and desired to give his Opinion con-
 cerning those Strange Indians that he saw at the Pisscattaway
 Fort, he declares them to be Sinequo's some of them to his
 knowledge have been out and Straglers this four or five years
 and that he asked them, when they designed to return home,
 and they told him as soon as the heat was over (for they were
 afraid of Our Rangers abroad and kept Close) they would
 back into the Country and so that way Homewards, But the
 said Jacob Young further Advises and Assures their honours
 that the best and most certain intelligence can be Expected
 must be from Albany for he can get nothing out of Our
 Indians

Taken into Consideration the good Services done by Jacob
 Young to this Country and what he may yet do, and how
 Capable he is of so doing; It is the Opinion of this Board that
 he ought to be encouraged and therefore Resolved to Recom-
 mend the same (with proposall of Gratuity) to the Assembly
 at Laying the Levy, which passed into an Order of this Board
 as follows Viz^t

By his Excellency the Governor & Council in Assembly.

May the 26th 1692.

In Consideration of many Good Services M^r Jacob Young
 hath done and performed to this Province, and his readiness
 always therein, also how much further Serviceable he may yet
 be in the present Juncture Resolved that the Same may be by
 this Board Recommended to the Assembly at the next laying
 the Levy and a Suitable Sum proposed for a Gratuity to be
 made to the said Jacob Young

Signed p^r Order J LLewellin Cl.

Power given also to Jacob Young to press Boat and hands ^{U. H. J.}
&^c as by a former Order of the Convention April the 10th
1692. Signed p^r his Excellency.

Adjourn till to Morrow Morning 10 a Clock.

May the 27th 1692 Mett in the Council Chamber

Present

His Excellency the Governor

The honourable	{	Coll Blackistone	{	Coll Browne	}
		Coll Jowles		Captain Addison	
		Coll Robotham		Captain Courts	
		Coll Greenberry		M ^r Brooke	
		Coll Hutchins			

These following Bills Viz^t for Regulating Ordinarys &^c for
Elections of Sheriffs, Touching Coopers &^c for preservation of
Orphans Estates &^c Additional Act Regulating Ordinarys &^c
against the Exportation of Wooll and old Iron sent all down
to the house &^c

Came M^r Wynn, Doctor Brooke, M^r Harris M^r Mason, M^r ^{p. 641}
Whittington, M^r Hammond, M^r Pinder, and Major Trippe,
with severall Papers which they Deliver as follow Viz^t

A Petition formerly preferred the 9th of April last to his
Excellency the Govern^r and by him Communicated to the
house as follow Viz^t

To his Excellency Lyonell Copley their Majestys Captain
General and Governor in Chief of the Province of
Maryland

The humble Request of Henry Darnall Agent & Receiver
General for the Right Honourable Charles Lord Baron of
Baltimore &^c

Praying, By Virtue of his Majestys Order of the 12th of
November last that your Excellency would Graciously please
to grant your Excellency's Order to all persons Concerned,
that the said Henry Darnall by himself or such as from time
to time he shall appoint; may peaceably and Quietly be per-
mitted to receive and Collect all his Lordships dues and
Revenues in this Province, as well the dues and Dutys of
One Shill p^r hhd & of 14^s p^r Ton, as of all fines, Amercia-
ments, Wafts, Strays, Deodands, and all wild Cattle, horses
hoggs &^c and all other his Lordships rights dues and Reve-
nues whatsoever already due or which hereafter shall be due
to his Lordship within this Province, as also prayeth that all
Bonds, Bills, Records and other writing whatsoever, relating

U. H. J. to his Lordships Lands and Rents may be forthwith Delivered to him the said Henry Darnall or to such as he shall appoint to receive the same and also prayeth that the said Henry Darnall may by himself or such as he shall appoint be permitted immediately to Enter take and receive, the full peaceable and Quiet Possession of his Lordships houses and Plantations of Mattapany and Notley Hall and all other his Lordships houses and Plantations whatsoever within this Province, as also prays your Excellency would please to Name such and so many Ports and places wherein, and no where else all Ships Vessels &^c shall be Cleared to the End the said Henry Darnall may there appoint Officers to attend the receipt of his Lordships Dues arising from Shipping &^c
And he shall pray &^c

The Opinion of the house of Assembly thereupon Viz^t

Since it hath pleased your Excellency and the rest of the honourable Board to Command the Opinion of this house in relation to the Demands of the Lord Baltimore We humbly crave pardon if with that freedom as become Our Duty and Loyalty to their Majesties and Obedience to your Commands we Deliver it as followeth.

1st As to the 12^d p^r hhd this house say they are ready with their Majesties Royal Assent ready to Confirm the same to his Lordship, Provided his Lordship Grant the same Conditions of Plantations he did before the happy Revolution, or the same that their Majesties do to the Colony of Virginia, to the Inhabitants of this Province, and such of their Majesties Subjects as for the future shall Transport themselves hither to Inhabit which we humbly conceive was the True Intention and design of his Lordships Patent Granted by King Charles the first as fully appears by the Preamble thereof, which was primarily to Advance the Crown of England by Seating a Large and Ample Colony, which we humbly Conceive the best way to Effect, is granting by easy Terms and Conditions of taking up Lands to the Inhabitants at present and future times without which the Province will Dayly Decay and the Intent of the Patent Totally frustrated.

p. 642 2^{dly} As to the 14^d p^r Ton this house have fully Searched and Examined into the True Cause of the making of that Act and tho the Journals of that Assembly as well as the Original Law is either by Negligence lost or designedly made away by the late Government; yet many Persons living and Some of this Assembly do remember and Say that the same was for Building of Forts and finding of powder and Shot for the Countrys use, and further that that duty ever was and still is

by the Inhabitants Called Fort Dutys and not Port Duties as U. H. J.
it is now termed in the said Act, upon which Evidence and
perusall of the Law, and fully Debating the Same, this house
do unanimously Declare that the said 14^d p^r Ton doth of right
and according to the Intentions of the Makers of that Law
belong to the Crown, and humbly desire their Majestys Royall
Assent to an Act to Invest the same in their Majestys and
Successors for ever; It Seeming very unequal to them that the
Crown of England should be at that Charge of Building Forts
which is absolutely Necessary for securing Ships in time of
Warr and Securing their Majestys Dutys in both times of
Peace and Warr and the Lord Baltimore receive the Money
given by his Majesties Subjects for that End & purpose but
more Especially when We Consider the great Revenue his
Majesties Clemency has still Allowed and Afforded his Lord-
ship out of this Province and how Little it cost him and his
father in Seating the Same; It being Chiefly peopled at first
by Unpeopling their Majesties Colony of Virginia invited in
hither with their families and Estates by a Snare; fertile Soil,
and the Specious pretence of Liberty of Conscience.

3dly. As to the Demand of the fines and Amerciaments
to the late happy Revolution so farr as they were Legall his
Lordship We humbly Conceive ought to have them, but what
hath since Legally Accrued, and forever for the future are the
undoubted rights of the Crown of England, the one arising
from the breach of their Majesties Laws, and the other an
Antient Prerogative of the Crown by Custom immemoriall
for their false Clamour in his Courts of Judicature

4thly As to the Demand of Wafts, Strays, Wild horses,
and Hoggs this house say that such a franchise can no ways
Suit with the Nature and Constitution of this Province nor
any New Seated Plantation, the Same being very numerous
and the Country uncleared of Wood, and every Mans Tract
of Land so large that it is impossible to fence the Same in;
so that the whole Stock of the Country run promiscuously one
amongst the other and every Mans property only distin-
guished by his proper Mark Entred upon Record so that by
such a Grant his Lordship would Entitle himself and Engross
into his hands the whole Stock of the Province, and destroy
every Mans property in the Same, Some Mens Stocks wan-
dering Ten or Twenty Miles from their Plantation which the
Law of Necessity requiring, the said Franchise ought not to
be Admitted till the Conveniency of the Province will give
leave thereunto which we humbly offer and Submitt to their
Majestys Pleasure, And whereas unmarked wild Cattle
Horses and Hogs were by an Act of Assembly given to his

U. H. J. Lordship to avoid the Contentions that happened about the Property having no Mark to distinguish the same the said Law being for the Good and Benefit of the Province, and all the Title his Lordship can pretend to such Unmarked Cattle,
 p. 643 We humbly Conceive the same to be now by that Law Invested in their Majesties, as also to appoint Rangers to take up the same in which also we Submitt to their Majestys Pleasure.

5thly. As to the Demand of all Bills, Bonds, Records and other writings to his Lordships Land belonging, this house say that all Bonds & Bills given for Warrants to take up Land, where the parties have taken up Land thereupon ought to be Delivered up to his Lordship but where they have Executed the said Warrants & returned a Certificate of the Same, they ought not to be Delivered till the Parties receive the Benefit of the Same and as to the Records relating to Land taken up under his Lordship they say that they conceive their Majestys Subjects title to such Lands and are the only Evidence for the same, and ought not to be Entrusted or be in the Custody of any but his Majesties Secretary thereunto Commissionated and Lodged in his Office to which his Lordships Officers and all his Majesties Subjects have free Access

Signed p^r Order Hen: Denton Cl Assembly

To which this Board also Signified their Concurrence as follows Viz^t and Ordered that a Copy be sent Coll Darnall.

By his Excellency the Governor and Council in Assembly
 May the 27th 1692.

The foregoing is a true Copy of the Opinion of the house of Assembly concerning Coll Darnalls Demand, and as such is the full and finall Answer both of this Board and the said house to the said Darnalls Petition or request.

Signed p^r Order J LLeuellin Clk.

The Act for the Service of Almighty God &^c (Endorsed May the 27th 1692 read Second time) read here Second time

An Act for Advancement of Coynes (Endorsed May 27th 1692 read 1st time) read here 1st time

Came Doctor Brook and M^r Ennalls from the house with the following Message which they present Viz^t

By the house of Assembly May the 27th, 1692.

This house does desire your Excellency will be pleased to Impart the Opinion of this house in Relation to Coll Darnalls Petition, to the said Darnall according to his Demands which

they do Imagine may be a means to incite him to produce what U. H. J. further Instructions he has from his Lordship as likewise the Books of Entries.

Signed p^r Order Henry Denton Cl Assembly.

Already Ordered. Another Message from the house by Doctor Brooke Viz^t

By the house of Assembly May the 27th 1692.

The house having now received, M^r James Wroth, M^r Thomas Theakstone & M^r Robert Crook Burgesses Elected to Serve for Cecil County, in the Room of Coll Codd, M^r Warner & M^r Dare, as appears by Indenture under the hands and Seals of the Sheriff & Severall freemen of that County out of his Majestys high Court of Chancery hither remitted, do therefore now send them to your Honours to be Sworne.

Signed p^r Order Hen: Denton Cl Assembly.

Accordingly the Oaths appointed by Act of Parliament instead of the Oaths of Allegiance and Supremacy were Administred to the aforementioned three Members.

Brought hither by Captain Mitchell & M^r Ennalls Several Bills which they say are the last from the house, desire if there be any Bills here they may be remitted to them

An Act restraining the Exportation of Leather &^c (Endorsed) p. 644
May the 27th read Second time with the Amendment desired)
read here Second time and passed.

An Act for Setling of a Standard with English weights and Measures in each respective County in this Province (Endorsed May the 27th 1692 read 1st time) read here 1st time .

An Act for the Better Administration of Justice in probat of Wills &^c (Endorsed May the 27th 1692 read first time) read here first time.

An Act against Divulgers of false News, Endorsed May the 27th 1692 read first time read here first time.

An Act for Ordering and Regulating the Militia &^c Endorsed May 27th 1692 read first time.

The Act for Service of Almighty God &^c The Act for Advancement of Coynes, and the Act for Limitation of Officers fees sent to the house by M^r Brooke.

Sent also to the house by Captain Courts the Act Restraining the Exportation of Leather &^c and the Act for Settling of a Standard &^c

The other three Acts brought last hither by Captain Mitchell & M^r Ennalls Viz^t for the better Administration of Justice in probat of Wills &^c against Divulgers of false News &^c for the

U. H. J. Ordering and Regulating the Militia & referred to further Consideration.

Ordered that Answer in writing be Sent to the last Message p^r Doctor Brooke and M^r Ennalls concerning M^r Darnall &^c

By his Excellency the Governor & Council in Assembly.

May 27th 1692.

The Opinion of the house in relation to Coll Darnalls Demands is by Order of this Board now Copying out and shall be forthwith sent him as the final Answer of this Board and the house of Delegates to the said Darnalls Petition.

Signed p^r Order J LLewellin Cl.

Came M^r Winn and M^r Dent from the house, they desire to have delivered them the Act for the Service of Allmighty God &^c and Signify the Opinion of the house thereupon that it may not Commence nor take force till March next the Act Delivered.

Adjourn till to Morrow Morning 10 a Clock

May the 28th 1692 Met in Council Chamber

Present

	His Excellency the Governor		
The honourable	{	Coll Blackistone	Coll Brown
		Coll Jowles	Captain Addison
		Coll Robotham	Captain Courts
		Coll Greenberry	M ^r Brooke
		Coll Hutchins	

The Act against Divulgers of false News read Second time and Remarke Endorsed (The first fine for Divulgers of false News to be four thousand pounds of Tobacco, or less; the second for Defaming and evill Speaking of the Governor to be ten thousand pounds of Tobacco and 12 Months Imprisonment without Bayle

p. 645 The third for Defaming the Councilors, Judges, Justices or other principall Officers &^c Six thousand pounds of Tobacco and three months Imprisonment without Bayle or Main prize

Brought by M^r Whittington these Bills foll Viz^t

The Act for Securing the Rights of Severall persons Endorsed May the 27th 1692 Read first time. 28 read Second time Read here first time.

The Act for punishment of Persons Suborning of Wittnesses or Committing Wilfull or Corrupt perjury; Endorsed, read and passed first reading May the 28th 1692.

The Act for Regulating the Militia read Second time and U. H. J. Endorsed by order of the Board.

May the 28th 1692.

By the Governor and Council in Assembly.

The house is desired to Consult the Inconveniencys of Limitting the Governor and Council to any certainty, or at least, so small a Sum as 50000^{lb} Tobacco for that it would seem very hard in Case of any Sudden Invasion or Insurrection, that his Excellencys hands should be so tyed up as not be able to raise men Sufficent to disperse or oppose the Same in the Intervalls of Assembly untill such time as they may be called together

That his Excellency himself as Admirall and Captain Generall of this Province hath by his Commission full power for Exercising Martial Law; and can punish Offenders of that nature as he shall see fit, Even with Death it self if the Case require

One press Master in a hundred is Sufficent especially in time of Peace, not being willing to be too Burthensome to the Country by taking more than needs must.

The Act for Orphans Estates &c read first time. It, together with the Acts for regulating the Militia; Securing the Rights of Several Persons and Divulgers of false News sent to the house by Captain Addison.

Adjourn till Monday Morning 10 a Clock.

May the 30th 1692 Met in Council Chamber

His Excellency the Governor

The honourable	{	Coll Blackston	{	Coll Browne	}
		Coll Robotham		Mr Tench	
		Coll Greenberry		Captain Courts	
		Coll Hutchins		Mr Brooke	

Moved to Consider the Repairs of the State House, in a very untoward & Leaky Condition In so much that unless some Speedy Course be taken therewith the Records cannot be Secured, Resolved that the same be Recommended to the Consideration of the house as foll Viz^t

By his Excellency the Governor & Council in Assembly
30th May 1692.

The great Charge the Country hath been at in Building the State house, now the present Decays and Leaky Condition thereof, rendring the same insufficient, to Secure & preserve the Records of the Province, moves this Board to recommend

U. H. J. to the House the Consideration of some present Necessary repairs thereof, whereby the same may be put in a Condition to Secure the said Records, and fitt for holding Courts of Judicature untill such time as a more Convenient place for that Purpose shall be thought off and Agreed on and a house accordingly Erected which (Considering the great Expen-
 p. 646 ce the Province hath already to Defray and Discharge) This Board Conceives will bear too heavy upon them at present neither can the Same in any Probability be Effected befor the hard Weather; and further more the present Necessary Repairs of the said house may render the same fit for other publick use, to prevent further Charge to the Country; This Board therefore desire the house duely to Consider thereof in making such Provisions as they shall think fitt and necessary.
 Signed p^r Order J LLeuellin Cl.

Sent to the house by Captain Addison and M^r Brook.

M^r Tench Moves the hearing the Errors between him and Hopkins.

Ordered that the same be Argued here at 4 a Clock in afternoon

Coll Casparus Herman called in and desired to give an Account what he knoweth of M^r Frisbys Behaviour here in the Province both before he went & since his Return from England which he doth as foll Viz^t

That upon Receipt of the first Ordinance of Convention directing the holding the County Courts, several of the Justices of Cecil County would not sit, and the said Frisby made it his Business to go to Severall of them, and Advised them Sit by their old Commission, for the Power was still good, And not to take Notice of the Ordinance perswading severall of them such as refused to take the Oaths (which most did, and Entred their reasons upon Record) and to go by themselves and take the Clerk and hold a Court and see who would or durst Disturb or interrupt, M^r Jones was Perswaded thereunto and he endeavoured to perswade and Intice several Others to do the same, the said Frisby Applied himself at last to the Informant perswading him to Joyn with them Saying, that now the Business wholly depended upon him, the said Informant made Answer he would goe with them, he would not Spoile Sport thinking all the while all had been but Jocular and in jest, and accordingly he went to M^r Jones, first Demanding of him whether he intended to do so as they said, and so likewise to every one of the rest, and likewise to M^r Peirce the Sheriff, they all said they would do it and stand by it in Open Court in face of the Country, Then the Informant Replied if they

were in Earnest he was not, neither would he, he had an U. H. J. Estate & was not Minded to lose it and his Life too, for he took it to be no less than Open Rebellion, and thereupon he went out of the house, where Mr Frisby Came to him Accompanied with his Brother Peregrine Browne, and they told the Informant that they never heard nor thought him to be such a Coward he had more need to Stand up for the Cause than any one of them, for his Concerns more required it; But the Informant still replied as before that he was not Minded to lose his Estate and go to S^t Marys in Irons, Frisby told him he was Bound for England where he the Informant had more need to go to secure my Lord Baltimores Interest he having a greater Concern in the Country than him the said Frisby; Upon his, said Frisbys Return from England in June or August last to the best of his Remembrance the Informant met him at Court and the said Frisby Called him aside and begun to discourse him of the Affairs of England amongst other things he said, that it was reported in England, and he thought Ordered that one Copley should come in Gover^r The Informant asked him whether from his Majesty or the Lord Baltimore he replied there was various Reports about it but when he saw him come he might believe it and not before, but p. 647 under what Circumstances he came the Informant could by no means Learn from the said Frisby whether from the King or Lord Baltimore but said he would meet with a great many Obstructions, and the Country was not so farr lost as People did Imagine And he advised the Informant what ever he did not to sit nor Officiate till such time as he heard or saw further.

Brought hither by Mr Dent and Mr Harris from the house Viz^t

An Act for securing the rights of Severall Persons &^c Endorsed read the third time, they desire may be read here, they present to speak to it, It was accordingly read, as to that Clause in the Act, giving liberty to Persons (having had and paid for Warrants to lay out Land in any part of the Province not formerly taken up &^c By a Sworn Surveyor, there being some Dispute how such Officer shall be Appointed, The house Conceives his Excellency hath power Sufficient by his Commission to appoint Convenient Officers for the Administration of Right and Justice to the People, and therefore they have not thought to insert the Same in the Law or prescribe the Method of so doing.

His Excellency is pleased to let them know, that the Soil he conceives to be his Lordships and whether he can grant Warrants for taking up fresh Lands he is not well Satisfied him-

U. H. J. self, but will inform himself better from England, but for the Decideing of Disputes or Controversies among the People as to their respective Titles, and the Bounds of those Lands they already Possess he has Sufficient power he conceives to appoint Surveyors or other Sworn Officers to Resurvey and lay out any Lands already taken up, yea further for what Warrants have been heretofore Granted by or under his Lordship he thinks it but reasonable they should be Executed and the Lands laid out for the Parties Concerned, as falling under the same Circumstances with the former and being the Peoples right by Virtue of his Lordships Grant aforesaid.

An Act against Divulgers of false news (Endorsed May 30th read the third time with Amendment.

Came M^r Boothby from the house with the Act relating to Servants & Slaves which he presents and was thus Endorsed (Viz^t) May 30th read 2^d time with Amendment.

To his Excellency the Governor & his Honourable Council
The Humble Petition of William Macay Commander of the Ship Providence of London & William Montiehl Merchant of the said Ship

Humbly Sheweth.

That one Edward Randolph their Majesties Surveyor General of all the Ships &^c in America lately made Seizure and Stopp of the said Ship for some Breaches of the Act for Navigation &^c And further sheweth that being much to the prejudice of your Petitioners and their Employers is stopped or hindred in their Voyage for want of Speedy Tryall, Therefore your Petitioners humbly pray that Commission of Oyer and Terminer may immediately issue for Tryall of the said Ship in S^t Marys City being willing and Subject to Answer unto such things as may be laid to Charge.

And your Petitioners as in Duty Bound shall pray &^{ca}

Ordered that Commission accordingly issue for Tryall on Monday next Directed to Coll Robotham Thomas Tench, John Addison, John Courts & Thomas Brooke Esq^r

M^r Tench by M^r Winn his Attorney Moves for hearing the Errors Viz^t him and Hopkins;

p. 648 M^r Watkins Attorney for M^r Hopkins Alledges and informs the Board, that M^r Robert Carville who was Originally retained by the said Hopkins and who had all his Papers in keeping was gone abroad, upon Surmise, that they would not come to a hearing this Sessions as both he and the said Watkins were assured from the Speaker of the house that it could not be, and that upon the Confidence thereof his Clyent M^r Hopkins also who waited here great part of the Assembly was gone

home, that he the said Watkins was not Sufficiently informed U. H. J. of the Matter, neither can the Papers relating thereto be procured, wherefore he prays a Reference till next Sessions of Assembly for hearing the said Errors, Time given till Saturday next the 5th of June for both parties to provide themselves, and then Peremptorily to come to hearing and Arguing the Errors aforesaid.

To his Excellency Lyonell Copley Cap^t Gen^l & Governor of Maryland

The Humble Petition of Henry Darnall
Sheweth

That your Petitioner by an Order of the Assembly now sitting was Summoned to appear before the Same, and there to produce the Books of Entrys of Ships supposed to be in his Custody he having been Navall Officer in this Province before the late Revolution, That in Obedience thereunto he appeared and told the Gentl of the said Assembly that he did not know (as in reality he does not) whether the said Books be in his Custody or not and further said that if they were he did not think it safe for him to deliver the same or Copys thereof as much as he is but a Servant to the right Honourable the Lord Baltimore unto whom (as your Petitioner Conceives) the said Books do belong and who as your Petitioner believes would look upon it as a Breach of his trust in your petitioner to part with the same without his order that the Gentlemen of the Assembly lookt upon this modest Answer of your petitioner to be a Contempt and thereupon Ordered that he should be taken into Custody to the Great detriment of both his Masters and his own Affairs and as (Your petitioner humbly Conceives) Contrary to the Tenor of his Majestys Protection to your petitioner Granted, in Order to the Management of his Masters Concerns in the said Province Wherefore Your petitioner humbly prays that your Excellency will please to take such means with the said Gentlemen of the Assembly as to your Excellency shall seem most Convenient and proper to procure your Petitioners Enlargement that thereby he may enjoy the Benefit of his Majestys Protection and mind the Concerns of his Master in whose favour the said protection was Granted

And your Petitioner will pray.

The answer of this Board subscribed as follows Viz^t

p. 649

By his Excellency the Governor & Council

May 30th 1692.

The petitioner being a prisoner Committed by the House of Assembly upon their own Authority and for Reasons best

U. H. J. known to themselves this Board think not fit to interfere with the same but refer him to his Application to the House who have the proper Cognizance thereof they having likewise reported the modest Answer of the petitioner quite different from what he hath represented it to be

Signed p Order
J LLewellin Clk.

Adjourn till to morrow 10 a Clock

May 31st 1692 Met in Council Chamber viz^t

		His Excellency the Governor			
The honble	{	Col ^o Blakiston	Col ^o Brown	}	Present
		Col ^o Jowles	M ^r Tench		
		Col ^o Robotham	Cap ^t Addison		
		Col ^o Greenberry	Cap ^t Courts		
		Col ^o Hutchins	M ^r Brooks		

The Act relating to Servants and Slaves read and Indorsed May 31st 1692 read here the first time and passed

The Act against Divulgers of false news read and the Opinion of the Board thereon intimated in writing as follows viz^t

By his Excellency the Governor and Council of Assembly
May 31st 1692.

The penalties asserted for the Breach of this Act the Board think too slight and meane and know no Reason why the same Care should not be taken to preserve the Authority and respect due to their Majestys Governor and their respective Officers and Ministers of Justice here as in Virginia and other neighbouring Colonies who have thought fit to inforce the same by a far Greater penalty then was proposed by this Board and therefore they desire the House to Consider thereof and provide accordingly in every particular as hath been urged by this Board from whence they cannot safely and Honourably recede

Sign'd p Order
John LLewellin Clk.

Several of the Great men Indians of Nanticoke waiting audience are called in demanded of them whom they intend and when they design to make Choice of their Emperor answer about three months hence

p. 650 They are advised that (when they have so done) his Excellency will Confirm and renew the Articles of Peace with him

and in the mean time he will (as well as if the Peace were U. H. J. already really ratified) keep Amity with them and expects they should do the like which they likewise promise to do and produce their former Articles which were read Openly and it is mutually agreed on both sides that the same in every particular shall be inviolably kept and Observed until such times as they shall have elected and Confirmed their Emperor and then they are to Apply themselves to Col^o Hutchins who will Accompany them and their Emperor with the several Kings and Great men so many as may be Convenient to come over to his Excellency in Order to Conclude and sign new Articles to be drawn and signed by all Parties.

Captain Joseph Stevens Commander of the Ship Ruth of London petitions his Excellency that whereas his two Servants John Cornele and Ann Child als Cornelicus his wife were lately by the Justices of Saint Marys County Court set free without hearing the petitioner what he had to say in his defence why they ought not to have their Freedom) he might be admitted to state his Case and have a hearing before this Board and Justice accordingly done him.

His Excellency is pleased to Grant that the Petitioner be admitted to a hearing of the whole matter before the Justices of the Provincial Court and the witnesses on both sides to be examined therein that right and Justice be done

Mary Peters a Servant or Slave in Possession of M^r Carberry petitions the Governor setting forth that through the Illusion and Instigation of her late Master and Mistress she had married with a Christian Negro was drawn into Slavery altho she had really served above eight years more than the time she came in for prays for her Manumission

The Consideration thereof referred to further time to peruse the Law in that Case made relating to Negroes and Slaves whether she can have any benefit thereby.

The Act for securing the right of several Persons read here the Second time and passed it together with the two foregoing Acts that relating to Servants and Slaves and the other against Divulgers of false news with the Opinion of the Board thereon sent to the House by M^r Brook and Captain Courts.

M^r William Josephs petition for allowance for a Horse & some Arms taken from him upon the late Revolution whilst himself was sick at Mattapany as also for Transcribing 30 Copies of his proposalls to the House of Assembly the last Sessions of Assembly under the late Government at request of that Lower House p. 651

Answer to the said petition thus subscribed

U. H. J. By his Excellency the Governor and Council in Assembly
May 31st 1692.

As to the Horse it appears to this Board that upon former application to the Government had an Order Granted him for Restitution thereof which this Board think reasonable should be renewed, the Article taken in Hostility or Surrender upon Articles cannot be forced to be returned neither is it known to this Board where or in whose Custody they are and as for the proposalls made by the petitioner and the several Copys thereof the House if they have employed the petitioner may Consider of making Satisfaction for the same as they shall think fit

Sign'd p Order
J LLeuellin Clk.

John Wincoll petition preferred to this Board as follows.

To his Excellency the Governor and his Honourable Council
The humble petition of John Wincoll
Most humbly sheweth

That your petitioner hath well and faithfully behaved himself with all duty and Submission to this present Government and shall still persevere in so doing as becomes a Loyal Subject and Good Protestant that he is at present out of Employment but most ready and willing to Embrace any Opportunity of getting an honest Livelyhood and being informed that the Cryers place of the Provincial Court is not yet settled upon any particular Person since your Excellencys arrival

Your Petitioner humbly offers himself to your Honours Consideration and prays that he may stand fair in your Honours favour so as to have Conferred on him the said Office which he shall endeavour to Execute with all faith and diligence to the best of his Skill and Power

And as in duty bound he shall pray &c.

The petition Granted and the Petitioner nominated and appointed by his Excellency the Governor Cryer of the Provincial Court

p. 652 Major Nicholas Sewall by his petition prays allowance for three Horses prest from him in the time of the late Revolution for his Majestys Service and made use of for some Considerable time one of them the best and his own Particular Riding Horse so Grossly abused that soon after he was Returned home died, his Family Provisions and his Hay Oates and Straw Fodder for his Cattle and other Creatures all destroyed and devoured by the Guards quartered upon him and by that

means his stock also died and much impaired for all which U. H. J. he humbly prays the Consideration of this Board and the Assembly in Order to make him such reasonable reparation as they shall think fit.

The said petition thus answered and Subscribed viz^t

By the Governor and Council in Assembly.

May the 31st 1692.

It appearing to the Board that the Damages layd in the petition were Occasioned by Breach of Articles after the Surrender and Occasioned by himself they cannot think of any Restitution however the Act of Indemnity reaches this Province but if the petitioner think fit he may apply himself to the Assembly.

A Petition preferred to his Excellency from the Inhabitants of Kent Island (praying that as formerly they have been they may be reduced and restored to a peculiar and particular County of themselves being willing and able to bear and defray their own incident Charges of holding Courts and all other the duties of a County &c

His Excellency having Communicated the same to this Board they refer it to the Consideration of the House who if they think fit may prepare a Bill Accordingly

James Brown of Saint Marys County who married the widow and relict of Thomas Pew decd by his petition humbly prays allowance for Two years Sallary due to his Predecessor as Publick Post employed for the County as also for the use of a Horse and the Loss of a Servant wholly by the said Pew his Sickness deputed to Officiate and run Clear away with his Horse some Clothes &c and the Horse for several months after not heard of He is recommended and hath Liberty to Apply himself to the House of Assembly who are better acquainted with the nature of the petition and have proper Cognizance thereof.

Joseph Tillys Petition to the House praying to be relieved from a decree in Chancery heretofore in the year 1680 surreptitiously Obtained against him by one George Parker and his Estate thereupon seized and imbezzled and himself ever since under Close Confinement and that he may be admitted ^{p. 653} to a hearing in fforma pauperis before the Assembly and have for Council Assigned him M^r Edward Wynn, M^r Kenelm Cheseldyn, M^r William Dent, M^r Griffin Jones and if it may seem good M^r Thomas Bland formerly Employed therein was remitted to this Board with the following Endorsement viz^t

U. H. J.

By the House of Assembly May the 31st 1692.

The House does think Convenient that the Complaint of the petitioner should be Considered and allowed of and do refer the same to your Honours

Signed p Order
Henry Denton Clk Assembly

Thus answered by the Board

That there be a hearing of the whole matter at the next Sessions & the Petitioner admitted to prosecute his Complaint in Forma Pauperis M^r Edward Wynn and M^r William Dent assigned him with Council to whom with a Keeper he hath Liberty to apply himself with his Instructions for the better stating and managing his Case

The Sheriff of Talbot County makes return of M^r Thomas Robins a delegate Chosen for the said County in this Assembly in the Room of M^r John Edmonson disabled and dismissed the House

A Message from the House by M^r Philip Clark which he delivers and requests to have delivered him two Bills before this Board viz^t That for election of Sheriffs and the other for Punishment of Persons Suborning Witnesses &^c

The Board will send them Answer this Message brought is as follows viz^t

By the House of Assembly May 31st 1692.

The House has voted that Richard Benton shall be sent for to view the State House in Order to repair the Places and Rooms where the Records lye that the same may be secured from the weather

Signed p Order
Henry Denton Clk Assembly

The Act for Punishment of Persons for Suborning Witnesses read and Passed the same together with M^r Josephs Petition M^r Browns petition and Kent County Petition sent to the House by M^r Courts with the following message viz^t

By his Excellency and Council &c May 31st 1692.

The Act for Election of Sheriffs hath passed here and was sent to the House with several other Bills the 27th Instant as the minutes of this Journall makes appear

Signed p Order
John LLewellin Clk.

Adjourn till to morrow 3 a Clock afternoon

June the 1st 1692 met in Council Chamber

U. H. J.
p. 654

Present of the Council as yesterday

His Excellency under some indisposition being absent
Adjourn till to morrow morning 10 a Clock

June the 2^d 1692 met in Council Chamber

the honble	{	Col ^o Blakistone	Col ^o Browne	}	Present
		Col ^o Jowles	M ^r Tench		
		Col ^o Robotham	Captain Addison		
		Col ^o Greenberry	Captain Courts		
		Col ^o Hutchins	M ^r Brooke		

Came from the House M^r Whittington and M^r Ennals and desired to have the Sheriffs Return of the new Election for Somerset County which was delivered them and they depart

Said Whittington and Ennals Came again from the House together with M^r Roger Woolford M^r John Basman and M^r Lawrence Mattox members returned for Somerset County whom the House desires may be sworn in Order to their admission there

They were Accordingly Sworn and dismiss

The Act against Divulgers of false news read and thus endorst viz^t

By the Governor and Council in Assembly June the 2^d 1692.

This Bill with the above Amendments this Board still recommends to the House as not finding upon their Journal any Concurrences with them therein under the Penalty desired

Sign'd p Order

J LLewellin Clk.

Sent to the House by Captain Courts

William Macay Master of the Ship Providence of London petitions the Board that whereas having been seized and twice informed against by M^r Randolph the Kings Surveyor and answered and acquitted himself and his Vessell of both the said Informations he is now arrested at the Kings suit by the procurement of the said Randolph upon Suggestion or false information of having forged a Certificate and Cocquett from their Majestys Custom house London and bound to Answer at the next Provincial Court he prays that he may be brought to a speedy Trial before their Majestys Justices of a Special Court of Oyer and Terminer now already appointed before whom the two former Informations were Tried or otherwise to this Honble Board should seem meet

Referred to further Consideration

U. H. J. Came from the House Mr Dent, Mr Jones, Mr Watson Mr
p. 655 Hawkins Mr Wroth Mr Dorsey and Mr Hanson with the Body
of the Laws Passed this Sessions and also a paper Containing
the Frontispiece to be put thereto which they present to the
Board for their approbation viz^t

Maryland ss^t

Laws made and enacted at the City of Annapolis the day
of June Anno Domini 1692 for the Province of Maryland by
the King and Queens most Excellent Majesty by and with the
advice and Consent of this present General Assembly as
follows

Came Mr Wheeler and Mr Finney from the House and
bring with them the Act Against Divulgers of false news
amended in the penalties 10000^{lb} for 6000^{lb} & 5000^{lb} for 3000^{lb}
the bill thus indorsed viz^t

By the House of Assembly June the 2^d 1692

This House do humbly Conceive that the penalties of
10000^{lb} & 5000^{lb} Tobacco now inserted are high enough Con-
sidering the Law is perpetuall

Signed p Order

Henry Denton Clk.

Read here and passed and remitted to the House by Mr
Brooke Proceed to reading the Body of Laws last brought
hither viz^t

An Act for the Service of Almighty God &^c thus subscribed
viz^t

June the 2^d 1692.

The House of Assembly have Assented

Signed p Order

Henry Denton Clk.

Read here and Subscribed June the 2^d 1692.

Assented to by the Council

Signed p Order

J LLewellin Clk.

And so for the rest of the Laws as they came.

Brought from the House by Mr Dent these following Bills
viz^t

An Act ascertaining the Expences of the Commissioners of
the provincial and County Courts thus endorsed viz^t

June the 2^d 1692 read and passed the first reading.

An Act Entituled a Supplementary Act to the Act for Settlement of an Annual Revenue upon their Majestys Governor within this Province for the time being thus endorsed viz^t

June the 1st 1692 read 1st time, 2^d read 2^d time

An Act Ascertainning what Laws are repealed within this Province June the 1st 1692 read first time

Adjourn till to Morrow Morning 10 a Clock

June the 3^d 1692 met in Council Chamber

p. 656

His Excellency the Governor

Col ^o Blakiston	}	Col ^o Hutchins	{	Captain Addison
Col ^o Jowles		Col ^o Browne		Captain Courts
Col ^o Greenberry		M ^r Tench		M ^r Brooke

Proceed to read the Bills brought hither yesterday by M^r Dent viz^t

The Act Ascertainning the Commissioners Expences in the Provincial and County Courts (Remark) that the Justices of the Provincial Court though of the Council) if they appear at Courts to Officiate as Justices Ought to have the same Allowance with the rest as doing the same Duty and living at a Great distance

The Supplementary Act to the Act for the Annual Revenue &c^a Referred to the Consideration of the Board (Remark viz^t) this Act to Continue for three years certain without Reference to the next Assembly and to Commence from the publication of the Act

The Act for settling Naval Officers Fees within this Province (remark viz^t) the fees settled by this Act seem very unequal and disproportionable as to the different Burden of the Ships and it is therefore rather proposed that the same method be taken here as in Virginia that all Masters or others therein Concerned may be at Certainty in both Governments so near Adjacent

The Act ascertainning what Laws are repealed within this Province (remark viz^t) for the better and Greater Certainty of what Laws are in force and what not It is thought more proper to Appeale Annul Abrogate and make void all Laws in General heretofore made in this Province except what upon the Review of the Body of those Laws this present Sessions have deemed fit and Convenient for the good Government of this Province

Brought from the House by M^r Wynn several Bills which he presents to the Board viz^t

An Act of Recognition &c^a (Endorsed) June the third 1692 Read 1st Time

U. H. J. An Act of Naturalization (Endorsed) June the third 1692
Read the 1st Time

An Act for the Settlement of an Annual Revenue upon their Majestys Governor within this Province for the time being Indorsed June 2^d read first time 3^d read 3^d time

The above mentioned Bills viz^t for ascertaining the Com-
p. 657 missioners Expences &c Supplementary act for the Revenue,
For settling Officers fees, Ascertaining what Laws are repealed
sent to the House by Captain Addison and M^r Brook with
part of the Body of Laws and the following message therein viz^t

By the Governor and Council in Assembly June the 3^d
1692.

This Board having perused part of the Body of Laws contained in Eleven sheets now drawn this Sessions have signified their Assent to them all but one, for Enrollment of Conveyances for no other Reason then being temporary, which being of so Great moment and Concern to the Province in General this Board desire may be indeffinite

Sign'd p Order

J LLewellin Clk.

Ordered to be read the Bills brought hither by M^r Wynn. The Act of Recognition (Remark) this Act ought to be primarily plain in the Body of the Laws next the Fronticepiece the Act for Naturilizations read 1st time & passed

The Act for Settlement of the Annual Revenue &c (Remark) that all Masters at Clearing do Report their Loading upon Oath and the Officers appointed to Clear them upon Oath to be Empowered to Administer such Oath and upon Occasion to search &^{ca}

The several Articles of Impeachment against Lord Baltimore &c & the Agents Instructions sent to the House by Col^o Jowles and M^r Tench with directions from his Excellency to Recommend the same to their Consideration & Examination and desire them to Contract them into a Narrow Compass in Order to Represent the same with an Address to their Majestys as the Truth of their Charge against his Lordship &c Concerned sent also by the said Col^o Jowles and M^r Tench the last foregoing three Bills

Ordered that short Bill be prepared here prohibiting Trade with the Indians for Dear Skins Elk Skins and Bear Skins or any furs whatsoever without License from the Governor thereby to prevent Commerce with & Consequently the Entertaining and harbouring of any foreign Indians to the Great Prejudice and oftentimes the Ruin and destruction of the Inhabitants of the Province

Came Mr Harris and Mr King and returned that part of the U. H. J. Body of Laws last sent them

Ordered that writts issue for Adjournment of the Provincial Court further to the last Tuesday in September next the 27th day of the same month & to Continue all Process Accordingly

Ordered to be drawn a Bill prohibiting the setling Giving ^{p. 658} or disposing of any Strong Liquors to the Indians &c

Accordingly drawn and sent to the House by Mr Tench together with a Bill intituled an Act for Ordering and regulating the Militia of this Province for the better defence and Security thereof which he is to Recommend to the House as being found amongst the papers of this Board and not known how or by what means it came there

Came Mr Dent from the House with the Act for Ascertain- ing what Laws are Repealed within this province to which he herein is Charged to speak and Acquaint this Board that the members of the House do humbly Conceive the end and design of the said Bill is sufficiently set Out in its self as now drawn that the whole Body of the Laws has been very care- fully and dilligently perused and Examined wherein they find several of the indeffinite Laws viz^t That for the 2^s p hhd & that for Towns &c with many others which they thought not Convenient at all to touch upon or alter other wise then what other provisions they may have made for Explanation or otherwise by new Laws now passed and therefore they Con- ceived it necessary to ascertain what of those old Laws they thought fit to Repeal and what not but they will further Con- sider of the motion of this Board Concerning the same

The Act for the Navall Officers fees he says if they should Consider the Burden of the Ships and regulate the fees thereby viz^t for every one above 100 Tuns 30^s fee and under 20^s would much lessen the Perquisites of that place to what they desired for that the House was well Satisfied there came many more Small then great Ships yearly into this Province they are desired to follow the methods of Virginia in that Point

Adjourn till to Morrow Morning 10 a Clock

June the 4th 1692 met in Council Chamber

His Excellency the Governor

the honble	{	Col ^o Blakiston	Col ^o Browne	}	Present
		Col ^o Jowles	Mr Tench		
		Col ^o Greenberry	&		
		Col ^o Hutchins	Captain Courts		

Proceed to read the Bundle of Laws brought hither by Mr Harris and Mr King

U. H. J. The Act for Publication of all the Laws within this Province the Board desires the House to Ascertain the Allowance for Transcribing the Body of the Laws to be Passed this Sessions before the said Act pass.

p. 659 The Act prohibiting Trade with the Indians for flesh &c being of Great Import and Concernment this Board Conceives it ought to be Indefinite

Thomas Tench }
 ag^t } Writt of Error
 W^m Hopkins }

According to a peremptory Rule of this Board made the 30th day of May last Came the said Thomas Tench by Edward Wynn Esq^r his Attorney and prayed the hearing of the Error assigned in this Cause and that this Board would proceed to a finall determination of the Premises whereupon Samuel Watkins Attorney of the said William Hopkins being Called before this Board to put in his Answer to the Errors aforesaid exhibited by the said Tench made his appearance and alledged as formerly on the said thirty day of May last that he is not prepared to make any defence, for that the Papers relating to this Cause could not be procured to be had here this day and therefore saith that he is not informed by the said William Hopkins of any matter or thing to plead or Give any answer to the aforesaid Errors in Barr thereof

Whereupon the said Edward Wynn Attorney of the said Tench humbly moved this Board that they would give their finall Judgment and determination of and upon the premises.

It is therefore Considered by this Board that for the default of the said William Hopkins aforesaid the Judgment of the Provincial Court heretofore Given in this Cause and the Proceedings thereon be quashed Annulled and made Void and that the said Thomas Tench be restored to all Costs and Damages heretofore sustained therein amounting to fourteen thousand two hundred sixty and eight Pounds of Tobacco Adjudged him by our Council in Assembly for his Costs and Charges by him sustained and expended for prosecuting hearing and determining the said Writt of Error and that the said Thomas Tench have execution for the same against the said Hopkins returnable to the next Provincial Court the first Tuesday in May next

The Act for Ascertaining what Laws are Repealed &c delivered to M^r Wynn the Attorney General to Carry to the House and to let them know that it is still the Opinion of this Board that to remove all difficulties and for the better Certainty of the Laws of the province it were more proper that all Laws heretofore made be in General Terms abolished and none in force but what shall pass this Assembly

Captain Courts and Col^o Brown Ordered to Accompany the Attorney General to the House and to let them know that pursuant to their Request his Excellency had Adjourned the provincial Court to the 27th day of September next and had Ordered Writts accordingly to be sent to the several Counties

U. H. J.
p. 660

Came M^r Clarke and M^r King to the House with several Bills &c

An Act restraining the unreasonable Increase of Horses. For Regulating the Militia &c against Divulgers of false news for naturalizations. Additional Act to the Act for Settlement of the province &c for taking away Errors in proceedings &c.

All Assented to by the House June the 4th 1692.

Brought hither by M^r Dent and and M^r Hawkins these following Bills viz^t

An Act for Ascertaining the Expences of the Commissioners of the Provincial and County Courts

An Act for Settlement of an Annual Revenue upon the Governor &c endorsed viz^t read 3^d times and Amended Read here & Passed

An Act for Advancement of Coins &c (remark) This Act ought to be Ascertained to three years

By his Excellency and Council in Assembly June 4th 1692.

The Act for Publication of all the Laws of this province this Board Conceives to be a very good Law and therefore Indefinite

The Act Prohibiting Trade with the Indians for flesh &c ought also to be indeffinite and the Board are still of Opinion that all Laws made in the Lord Baltimores time ought to be Abrogated and his just right and Interest in the province to be secured by a suitable Law to pass this Sessions in their Majestys name

Signed p Order
John LLewellin Clk.

The Act restraining the Unreasonable increase of Horses in this province to Commence forthwith upon publication and to Continue for 3 years

The Act Obliging the Colts to be Gelt, for three years Successively and the Act may expire in a year or less if a Session happen

Sent to the House by Col^o Hutchins he returns
Adjourn till Monday Morning 10 a Clock.

U. H. J.

June the 6th 1692 met in the Council Chamber

His Excellency the Governor

p. 661 the honble { Col^o Blakiston Col^o Brown
 { Col^o Jowles M^r Tench
 { Col^o Greenberry &
 { Col^o Hutchins Captain Courts }

By his Excellency the Governor and Council in Assembly The house upon their Explanation of 14^s p Ton having declared their Sentiments thereof to be for Duties belonging to and Vested in the King This Board think it necessary that of all Ships and Vessels that shall hereafter Clear the same be secured and Collected by the Naval Officer & lodged in Bank until his Majestys Pleasure therein shall be further known and they are desired to provide accordingly

Came M^r Jones and M^r Greenfield with some Bills which they say wanted signing by the Clerk of this Board viz^t

The Act for Publication of all the Laws &c and the Act Prohibiting Trade with the Indians for flesh &c

M^r Brook sent with the said Laws to the House and Ordered to Acquaint them that the reasons of this Board why they were not signed as having passed this Board were Signified to them in a Message on Saturday last sent them by Col^o Hutchins which they are desired to Peruse the foregoing Message

Concerning the 14^s p Ton sent also to the House by M^r Brook

To his Excellency the Captain General &c

The humble petition of Thomas Rookins Thomas Leech & Robert Dryver Saylors.

Humbly sheweth

That your petitioners entred themselves at Barbadoes about six months ago Saylors on Board the Relief John Anderson Master who agreed to pay each of them three Pounds and a Crown p month and Clear them so soon as it should please God the said Ship Reliefe should come in Maryland now so it is may it please your Excellency that the said John Anderson doth not only refuse to Clear your Petitioners according to Agreement but also denys any pay to be due to your Petitioners wherefore they they humbly entreat your Excellency would be pleased to Order the said Master to appear before your Excellency to the end he may make good his Agreement.

And your Petitioners shall ever pray

Ordered that Summons issue for said Anderson to Appear ^{U. H. J.} at Talbot County Court to Answer there the Complaint of the petitioners.

By his Excellency the Governor and Council June 6th 1692. p. 662
Maryland ss^t

Whereas Complaint hath this day been made to this Board by Thomas Rookins, Thomas Leech and Robert Dryver Mariners and Saylors of the Ship Reliefe of New Castle whereof John Anderson is Master riding in Wye River in Talbot County that the said Master refuseth either to Clear them or pay them their Wages according to Contract.

Ordered therefore that the Sheriff of the said County (in Case the said Anderson shall still Continue and refuse to Comply with the Agreement or Contract aforesaid) Summons the said John Anderson that all Excuses set apart he be and appear before their Majestys Justices of Talbot County Court at their next Court to be held the third Tuesday of June being the 21st day of this instant June to Answer the Complaint of the said Saylors and that the said Saylors have due notice Given them to attend the said Court at the same time to make good their Charge against him

Sign'd p Order

J LLewellin Clk.

Came M^r Wynn M^r Jones M^r Finney and M^r Wheeler and presented to the Board the Act for the 14^s p Ton Fort Duties (Endorsed) viz^t June 3^d 1692 1st Reading 4th 2^d Reading 6th read 3^d time they also inform the Board that some Bills had passed this Board without being signed by the Clerk they are answered as before that the Reasons of this Board for so doing had been signified to the House in a Message p Col^o Hutchins last Saturday

M^r Finney produced and Offered to the Board an Account of Arms pressed and taken from the House of Madam Henrietta Maria LLoyd in the time of the late Revolution for their Majestys Service amounting to the Value of 16^{lb} 10^s Sterling as the same are charged in the said Acco^t thus subscribed (viz^t)

May the 24th 1692

Ordered that M^r Swetnam and Major Stanley return the aforesaid Arms to Madam LLoyd according to Order of the last Convention

W Taylard Clk Com Acco^{ts}

And again say thus

The Consideration thereof is referred to his Excellency and Council

W Taylard Clk Com^o Acco^{ts}

U. H. J. His Excellency refers it to the House to do therein as they think fit.

p. 663 Brought and presented to the Board by Mr Jones these following Bills viz^t

An Act for taking away all Errors in proceedings at Law and Equity and in the Court for Probate of wills occasioned by the late Revolution Passed the House and this Board also

An Act for settling the Naval Officers fees within this province passed & Subscribed

June the 6th 1692

The House of Assembly have Assented

Sign'd p Order

Henry Denton Clk Ass^t

To his Excellency the Captain General &c.

The humble petition of Edward Gold

Humbly Sheweth

In all Humbleness Complaining sheweth that whereas your Petitioner happening to meet with one Winlock Christison formerly dec'd of Maryland in Barbadoes and having a mind to Come for this Country the said Winlock told your petitioner if he had a mind to go he would pay for his passage upon Consideration of serving four or five years which your petitioner did justly serve and fulfil to his utmost of his Endeavours whereupon he demanded his Liberty but could not get it and being sold from one to another ever since being 20 years could have no redress all which enforceth your Petitioner humbly to supplicate your Excellency herein to be relieved

The Premises tenderly Considered and for that your Petitioner being According to the Church of England and Baptism thereof twice Christened and besides can make it evidently appear that he hath been these twenty years wrongfully kept and detained from his Liberty as a Servant would humbly entreat your Excellency to be so Pleased out of your wonted and noble Clemency to Commiserate your poor distressed petitioners Condition that he may be set at Liberty from his long and unlawful Slavery which Granted your Petitioner shall ever have Cause to pray &c.

The Petitioner also did alledge that Major Sewall and one John Hamilton and John Sumers could testify on his behalf in relation to what is set forth in the petition

Ordered that Summons issue for them to give in their Evidence at next Calvert County Court which was the Answer of this Board to the petition at present viz^t

By his Excellency the Governor and Council in Assembly U. H. J.
June the 6th 1692.

Ordered that the Sheriff of Calvert County summons Major ^{p. 664}
Nicholas Sewall, John Hamilton and John Somers if they shall
be found in his Bailywick that all Excuses set apart they and
either of them be and appear before their Majestys Justices
and Commissioners of Calvert County Court at their next
Court to be held the third Tuesday of this Instant June to
testify the Truth of their Knowledge Concerning Edward
Gold a negroe his Freedom or pretences thereunto whereof
let there be no fail at Perill

To the Sheriff of Calvert
County or his Deputy

Sign'd p Order
John LLewellin Clk

These

To his Excellency the Captain General &^c

The humble petition of Jane Robinson

Humbly sheweth

That your Petitioners Master dying Philip Lynes Adminis-
tered his Estate so that your Petitioner served the rest of her
time to the said Philip Lynes and at the Mayors Court last
March was made free nevertheless the Clerk of the said
Mayors Court Refuses to Grant Execution for Corn and
Clothes due to your Petitioner upon the determination of her
Servitude

That your Excellency would be pleased to give Order to
the said Clerk that your Petitioner may have Justice and she
shall Pray &c.

The Magistrates of the Mayors Court or some one of them
are desired to Award the petitioner execution upon their
Judgment already Given for her (as this Board is Given to
understand) and that they direct their Clerk Accordingly

To his Excellency the Captain General and the honble Council

The petition of John Buntin Mate of the Ship Katherine of
Londondery Andrew Crookshanks Commander in behalf of
himself and the rest of the Officers and Mariners of the said
Ship and also of the Merch^{ts} Owners and Freighters of the
same and others therein interested and Concerned

Humbly sheweth

That the said Andrew Crookshanks for a fact by him unad-
visedly and unfortunately Committed on Board the said Ship
was Committed and lyes Confined under the Custody of the
Sheriff of Somerset County to Answer At the next Provincial
Court (which your Petitioner is informed will not be till

U. H. J. towards the latter end of September next that several or most
 p. 665 of the Seamen as Evidences are bound to Prosecute which should they be Obliged to stay (prosecute) so long in the Country would prove the ruin and utter overthrow of the Voyage & the Ship in all Probability rendered incapable of ever making a return to the Great damage of the said Merchants Owners and others as aforesaid

Your petitioner therefore humbly prays that the said Evidences (in perpetuum rei memoriam) may be admitted to Give in their Testimony upon Oath to such Person or Persons as your Excellency shall think fit to Empower to take the same or otherwise that your Excellency will Graciously please to Grant a special Commission of Oyer and Terminer to such Persons also as your Excellency shall think fit for the speedy bringing to Trial the said Criminal upon such Evidences as the said Sea men can give Viva Voce therein whereby they may be enabled to Proceed to the Loading of the said Ship with all Possible expedition in Order to set forth with the Effects on his Voyage Homeward Bound for the Benefit and Relief of the said Merchants Owners &c who are like to be Extraordinary great Sufferers unless redressed by your Excellency

And he shall pray &c.

Ordered that Special Commission of Oyer and Terminer be directed to Col^o Nehemiah Blakiston Col^o Henry Jowles M^r Robert Mason M^r John Dent M^r William Blakiston and M^r Philip Briscoe or any three or more of them whereof the said Col^o Blakiston and Col^o Jowles or one of them to be one for the Trial of Andrew Crookshank at the City of Saint Marys on the 20th day of June instant and notice thereof to be sent to the Sheriff of Somerset County to have there at the same time the Body of the said Andrew Crookshank his Prisoner and also to Summons the Evidences on behalf of their Majestys against him Venire also to the Sheriff of Saint Marys County for Grand and Petty Jurys

Brought hither by the Speaker of the House and presented to the Board an Act of Repeal of all Laws heretofore made in this Province and for Confirming all Laws made in this Province this General Assembly ready and thus endorsed here.

By his Excellency the Governor and Council June the 6th 1692.
 Assented to by this Board

Signed p Order
 J LLeuellin Clk.

Remitted to the House by Captain Addison & Captain U. H. J. Courts with Order to Acquaint the House that there remain yet some Laws before this Board Concerning which this Board desire to Confer with them at Ten a Clock to morrow morning and that it seems to this Board unlikely that the Business of this Assembly should be finished to morrow the day appointed for Sessions and therefore they have further time to Compleat the same p. 666

Precept issued to the Sheriff of Somerset County as Above Ordered viz^t

By his Excellency the Governor and Council June the 6th 1692.

Ordered that the Sheriff of Somerset County have the Body of Andrew Crookshank late Master of the Ship Katherine of London Derry (whom he had in Custody Committed for Murder before their Majestys justices of Oyer and terminer especially appointed at their Court to be holden at the City of Saint Marys on the 20th day of this instant June to answer what shall be laid to his charge and also that he summons the mate Mariners and Seamen and others the Evidences therein (as he shall be informed) that all Excuses set apart they and every of them be and appear at the time and Place aforesaid to testify on behalf of their Majestys The truth of their Knowledge against the said Crookshank whereof let their be no fail on pain and Penalty that shall fall thereon

To the Sheriff of Somerset

Sign'd p Order

County or his Deputy

J LLewellin Clk.

These

To his Excellency the Governor & his honble Council

The Petition of Edward Cook of Dorset County
Humbly Sheweth

That one Daniel Clarke of the same County living publickly in Adultery with your Petitioners wife in Contempt and despite both of the Law of God and Man and to the great Grief and Affliction of your Petitioner doth by Violence & Opposition to all Authority keep and detain your Petitioners said wife refusing to deliver her to your Petitioner but Continues to live incontinently with her notwithstanding any Warrant or Order of Court to the Contrary to your Petitioners Great Damage grief and trouble as aforesaid

Your Petitioner humbly prays your Excellencys special warrant for the Apprehending securing and taking into Custody both the said Daniel Clark and your Petitioners said wife so as to have them before your Excellency or such other of your Council or their Majestys Provincial or County Court to

U. H. J. Answer the Premises and to Receive such Condign Punish-
 p. 667 ment as so foul a Crime may Justly deserve and your Petitioners Wife required to return to your Petitioner and live with him as becometh a wife or be otherwise disposed of at a Greater distance from the sight and knowledge of your Petitioner

And shall pray &c.

By his Excellency the Governor and Council June the 6th 1692.

Ordered that the Sheriff of Dorset County forthwith to Apprehend and take into Custody the Body's of Daniel Clark and Katherine Cook the wife of Mr Edward Cook of the same County (with whom he the said Philip Clarke doth incontinently live in Adultery and detains her from going to and Cohabiting with her, so that he have them both before this Board with all Expedition to answer the Premises and the further Complaint of the said Edward Cook whereof let there be no fail at perill

To the Sheriff of Dorset
 County or his Deputy

Signed p Order
 J LLeuellin Clk.

These

Adjourn till to Morrow 10 a Clock

June the 7th 1692

Met in Council Chamber

	His Excellency the Governor		
the honble	{	Col ^o Jowles	M ^r Tench
		Col ^o Greenberry	Captain Addison
		Col ^o Hutchins	Captain Courts
			} Present

Mr William Taylard appointed Clerk Assistant

Col^o Brown and M^r Brooke make their appearance at the Board proceed to reading several Bills before the Board viz^t

An Act for Settlement of an Annual Revenue upon their Majestys Governor &c (remark) this Board upon reading finding that the Revenue is only for the time being think it most proper that the same be as well for their Majestys Governor hereafter as for the present Governor for the time being

An Act prohibiting Trade with the Indians for any Flesh dead or Alive except deer and wild fowl

An Act for enrollment of Conveyances and securing the Estates of Purchasers. read & Passed

An Act for advancement of Coins read and Passed

The Speaker and other the members of the House attended U. H. J. his Excellency and this Board to Confer about the laws passed this Sessions to which having discoursed on both sides and p. 668 laid down and Answered to the Objection they again return to their House

Proceeded to read the Laws before this Board

The Act for the unreasonable encrease of Horses &c which produced the following message to be sent to the House viz^t

By his Excellency and Council June the 7th 1692

In the Act for the Unreasonable encrease of Horses it is necessary that there be a Clause inserted against the Importation of all Horses Mares and Geldings into this Province according to the Tenor of the former Act

Sign'd p Order
W^m Taylard Clk Ass^t

An Act of Repeal of all Laws heretofore made in this Province and Concerning all Laws made this General Assembly passed and Assented to

An Act for Publication of all Laws within this Province Passed and Assented to

An Act for settling Naval Officers fees within this Province Passed and Assented to

An Act Prohibiting Trade with the Indians read.

An Act Ascertaining the Expences of the Commissioners &c read & Passed

An Act for the 14^s p Tonnage read and Passed.

Sent to the House together with the Above Written Message by Col^o Jowles and Col^o Hutchins

Came M^r Tench and M^r Addison from the Committee of Acco^{ts}

Col^o Jowles and Col^o Hutchins return to the Board

Adjourn till to Morrow Morning 10 a Clock

June the 8th 1692

Mett in the Council Chamber

the honble {	Col ^o Blakiston	Col ^o Hutchins	} Present
	Col ^o Jowles	M ^r Tench	
	Col ^o Greenberry	Captain Courts	

Produced and read an Act Enabling One Burgess out of each County to lay the publick Levy of this province the present year indorsed viz^t June the 4th 1692 Read 1st and 2^d time Read here and also Endorsed viz^t

U. H. J. Upon reading of this Bill it is Considered that several or most Part of the Inhabitants not here present having publick Claims put in have not had due notice thereof) the time of
 p. 669 year for laying the Levy not yet Come. This Board think it necessary that Larger Lattitude be Given for discharging the Publick dues for the Credit and Honour of the Country then by the said Bill is Limited with which amendment this Board is willing to Pass the same

Col^o Browne and M^r Brook enter to the Board

Sent to the House by Col^o Brown who is desired to let them know that if they have any more Bills to Offer this Board is ready to receive them

Came M^r King & M^r Boothby to the Board from the House with the foregoing Bills again returned to this Board, them indorsed viz^t June 8th 1692 read 3 times with the Amendment desired

They also brought for the 14^s Tonnage and the Act ascertaining the Expences of the Commissioners &c Subscribed viz^t June the 8th 1692 the House of Assembly have Assented

Signed p Order
 Henry Denton Clk.

Came M^r Cheseldyn and M^r Wynn from the House with several Bills which they present to the Board viz^t

An Act prohibiting Trade with the Indians for Skins furs &c read here & Passed

An Act for 14^s p Gallon on Liquors Imported read here & Passed

An Act appointing M^r Peter Pagen to be Agent for this Province read here and passed remitted to the House

Adjourned for an hour

Met Again Present as before

Came Captain Ennals and presented the following Bills viz^t

An Act enabling one Burgess out of each County to lay the publick Levy of this Province for this present year

An Act for the Imposition of 4^s p Gallon on Liquors imported into this Province

An Act appointing Peter Pagen Merchant to be Agent &c Subscribed viz^t June the 8th 1692 the House of Assembly have Assented

Sign'd p Order
 Henry Denton Clk Assembly

Passed and Signed here in like manner

Ordered that Randolph Brand of Charles County to appear at the next Provincial Court to Answer his Contempt and misbehaviour towards the Government and that he give good Security for the same

Came Mr Wynn from the House and presented the Board U. H. J. the Address signed by the House, also another address relating to the Countrys Dutys and Col^o Darnalls demand signed by them p. 670

Notice to be Given to Cecil Butler deputed by Col^o Darnal as Naval Officer that he forbear further to Collect the 14^s p Ton Fort dutys it being Ordered to be Collected by the Collector and Naval Officer the same to be signified publickly by and Order of this Board to be set up in the Collectors Office

By his Excellency the Governor and Council in Assembly June 8th 1692.

Maryland ss^t

Ordered that the several Officers and Agents of the Lord Baltimore appointed to Collect his Lordships part of the Shipping dues do henceforth Successe the Collection and receiving the Fort duties of 14^s p Ton on Ships and Vessels Trading here the same being Adjudged by Act of Assembly to be the Country duties and to be Collected by the Naval Officers appointed by his Excellency in the several entring Ports in this Province

Signed p Order
J LLeuellin Clk

A Petition preferred by the Inhabitants of Kent County on the north side of Chester River praying that if the Island of Kent be Separated from them into a County of it self a reasonable number of the Inhabitants on the South side of Sassafras River may be added to them

His Excellency declares to the Board that he desires to be more fully informed of the nature of the petition and of the Conveniency of Granting the same and will further Consider thereof

A Petition preferred by the Inhabitants of the South Side of Sassafras River in Cecil County setting forth that their Court being holden on the north side of the said River to their Great damage ill Conveniency and hazard in bad weather especially pray therefore to be Joyned to Kent County in manner as themselves the Inhabitants of Kent County on the North Side of Chester River by their Petition have prayed

The same Answer given them as to the Inhabitants of Kent County

An Address or Petition preferred by several Merchants Factors Traders planters and other Inhabitants and Residents in Talbot County together with several Masters of Ships and other Vessels trading into this Province with sundry of their Subscriptions (praying that the Town of Oxford for

U. H. J. the Commodious Scituation thereof may be erected into a
 p. 671 Corporation with immunities and Franchises accordingly.

His Excellency will Consider thereof

The address brought by M^r Wynn is as follows viz^t

To their most Excellent Majestys William and Mary by the
 Grace of God King and Queen of England Scotland France
 and Ireland Defenders of the Faith &c

We your Majestys Council and the Freemen Inhabitants of
 this your Majestys Province of Maryland by their Representa-
 tives in a Gen^l Assembly now Convened and met together
 having seriously and maturely perused Considered debated
 and Enquired into the several Articles of Impeachment or
 Charge Exhibited by our Agents against the Lord Baltimore
 and his Deputies do upon strict search thereinto and the
 several Depositions Examinations Papers and Records thereof
 find the same to be Punctually & Exactly true according to
 the several parts thereof now by us Abridged & hereunto
 annexed the which we are able ready and willing to prove
 defend and maintain by such further Testimony proofs and
 evidences as may be reasonably required of us whensoever
 your Majesty shall please to call us thereunto By your Royal
 Commission of Enquiry into the Premises and not only so but
 several Insolencys Misdemeanors & Outrages done and per-
 pretrated since by his Factors and Agents here to the disturb-
 ance of your Majestys good and leige Subjects. Inhabitants
 hereof Aiming at and designing nothing less then total Sub-
 version of this your Government and your Majestys Royal
 Authority over us which they have (as much as in them lye)
 endeavoured to Obliterate and rase out of the minds of your
 Majestys most Loyal Subjects

The Moiety of 2^s p^hhd by Act of Assembly Vested in his
 Lordship for the support of Government and the Contingent
 Charges thereof

We likewise find to be misapplyed, and that his Lordship
 the Lord Baltimore in Arrears indebted to the Country six or
 seven and thirty thousand Pounds Sterling at the least whereof
 his Lordships Agent here hath Obstructively peremptorily
 refused to give any Account or produce his Book of Entry
 whereby he is to make out the same which we humbly pray
 (by your Majestys Royal Commission may be inquired into
 and an Account thereof duly rendered and Satisfaction for the
 Ballance duly made by his Lordship by which means we your
 Majestys most Loyal Subjects may the better be enabled to
 p. 672 express our Gratitude to your Majestys for Answering our
 petitions in Giving us a Protestant Governor by rendering
 him able and sufficient to support and maintain the Honour

your Majesty designed him and the Satisfaction we retain in U. H. J.
placing him among us

Signed by every Member of the Council Present

Adjourned till to Morrow Morning 10 a Clock

June the 9th 1692

Met in Council Chamber viz^t

	His Excellency the Governor	
the honble	Col ^o Blakiston	Col ^o Browne
	Col ^o Jowles	M ^r Tench
	Col ^o Greenberry	Cap ^t Courts
	Col ^o Hutchins	M ^r Brooke
		} Present

Sent to the House this following Message

By the honble Council June the 9th 1692.

1st This Board perusing the Act for Payment of publick charge find an Article to his Excellency the Governor of Gratuity which this Board find very unsuitable for his Great Charges and trouble and undertaking in the Peacable and happy Settlement of the Government of this province specially Considering a larger Gratuity to a Person of an inferior Capacity in the same act allowed which this Board desires may be rectified

2^{dly} This Board finding that in the Acco^t of M^r Lynes for publick expences of this honble Council that each particular Article is charged to their particular Acco^t for which Reason as it is informed to the Board that an Order of your House Referred the said Lynes to them for Satisfaction Notwithstanding by his Excellencys special Command they Came to attend him upon his arrival upon Surrender of the Government and since Called down upon Emergent Occasions which also this Board desire may be Rectified

3^{dly} This Board likewise desire that some Consideration may be taken in Relation to the last years Levy that your house would propose some method of full Satisfaction of all Bills drawn by the Naval Officers that are in the Country or others that may come in Protested on the same Account next Shipping wherein if due Care be not taken it will destroy and render the Credit of the Country insignificant & Poor very injurious to many good People living in and Trading to the same

Signed p Order

W Taylard Clk Assistant

U. H. J. The Governor of New Yorks Letter Recommended to the
p. 673 Consideration of the House returned hither with the Endorse-
ment viz^t

By the House of Assembly 9th June 1692.

This House do humbly Conceive that matter concerning
peace & War belongs to the King to Conclude and therefore
Referr themselves for an Answer to be Given to the within
mentioned by his Excellency

Signed p Order
Henry Denton Clk Assembly.

Brought from the House the Act for Payment of the publick
Charges &c read and Passed the first time

Sent back by M^r Tench and Captain Courts they return

The Speaker and Members of the House attended his
Excellency and this Board at the Passing and sealing the Laws
passed this Sessions

They passed the Seal and are thus endorsed June the 9th
1692.

On behalf of their Majestys King William and Queen Mary
I will these to be Laws Signed

L Copley.

His Excellency declares his Resolution of Adjourning the
Assembly till the 20th day of October next and Orders the
Speaker to Adjourn his House to that time.

Accordingly this Assembly is Adjourned to the 20th day of
October 1692

Signed p Order
John LLewellin Clk

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY
OF MARYLAND,

At a session held at St. Mary's, May 10-June 9, 1692.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

LIONEL COPLEY,
Royal Governor.

THE LOWER HOUSE OF ASSEMBLY.

[Journal of the Lower] House of Assembly

Original
Journal.

Begun [on the 10th day of May, in the] fourth yeare of the
Raigne of [our Sovereign Lord and Lady King William
and] Queen Mary Anno Dom 1692.

Vertue of there Maj^{ties} Writt of Election iss of
of Chancery in this province beareing Da day
ed to the City of S^t Maryes & the seve & respec-
tive vince comāding them to make Choice of for
Sufficient able spectiue County and two for the
City of S^t Maryes afd to is for the said City & Countyes
aforesd to personally ap att City of S^t
Maryes vpon the Tenth day aboue being Tuesday
in the yeare of our Lord 1692 where mett they after-
wards went into the Councill Chamber neare to the of
m^r Gerrard Vansweringhen in the said City; his Excellency
Coll: Copley Gou^rno^r and the Upper House being there
present his Excellency in a Speech Sett forth vnto them the
severall difficulties & hazards he had through after the
King had Signified his Intentions of Sending him amongst
them he put them in minde of makeing wholesome Laws and
the laying aside of all heates and Annimosities setting before
them the Examples of their Sacred Maj^{ties}

Amongst other Laws to be made he recomends to th^m one
in particuler as placed in his Instructions (to Witt)

The Raiseing further Supplyes for Support of the Gou^rno^r
for the time being, and defraying the necessary Charges of
the Gouvernm^t Conceiuing that it would be advantageous to
the Countrey as well as Satisfaction for himselfe to know what
they intended for him to Support the Hono^r of the Post the
King had placed him in, and to Reduce that as alsoe the
Allowances to the Gentlemen of the Councill & Assembly to
a certaine fund, hopeing they would come short of none of
their Neighbouring Colonies in anything of that Nature, and
soe desired them to goe and Choose their Speaker and take
care that none be admitted to Sitt amongst them but such as
should take the Oathes and be qualified by Law.

Which being ended the members of the House of Assembly
withdrew & repaired to the State House in the said City of
S^t Maryes.

Then the members proceeded to make Choice of their
Speaker and by Gen^rall Vote, nemine Contradicente the Elec-
tion made Choice of M^r Kenelm Cheseldyne for their Speaker
and place him in the Chaire accordingly.

Original Journal. Then was Henry Denton likewise uoted Clarke of this House.

Jonathan Clarke was alsoe admitted Dorekeeper as Likewise James Baker

The Speaker wth the rest of the Members of this House went vp to the Council Chamber where they presented their Speaker to the Gou^rno^r whoe there made a Short excusatory Speech, disableing himself by reason of his many Imperfections humbly desireing his Excellency to Nominate some more able and Sufficient Member of the same house to which his Ex^{ncie} replied that he Did very well allowe of their Choice, for which he returned his Ex^{ncie} Humble thanks for thinking him worthy for the Execution of a place of to vse his Utmost Care and dilige in the name & on behalf of these Priviledges of freedome from Arrest Access and free Liberty of Speech

The Speaker with the rest of House where he returnes them promissing to discharge that ording to the best of his ability

Proposed by M^r Speaker hours att, who all resolved to meet in the Mor & soe to sitt till four in the Eve

The House adjournes till to Morrow of the Clock Morning

Wednesday M 1th 1692

The House again Mett & Debated the precedency of in the house, which was resolved as followeth (Uiz)

City of St Maryes	} Ann Arrundall County	} Baltimore County	} [Dor]chestr County			
St Maryes County				Calvart County	Talbott County	&
Kent County				Charles County	Sumersett County	[Cæ]jill County

And accordingly in order the Delegates of the City & each respectiue County take their places.

M^r Speaker orders the House to be called ouer according to their places to see what members are absent which was done as follows Viz.

City of St Maryes	Edwd Wynne Esq }	Baltimore County	Mr Geo: Ashman
	Mr Robt Mason }		Mr Edwd Boothby }
St Maryes County	Mr Kenelm Chiseldyne }		Mr ffra: Watkins }
	Majr John Caruell }		Mr Tho. Staley. }
	Mr Phillip Clarke }	Talbott County	Mr Robert Smith }
	Mr John Watson }		Mr Wm Phiney }
			Mr Hugh Sherwood }
			Mr Jno Edmondson }
Kent County	Mr Wm Harris	Sumersett County	Capt Wm Whittington
	Mr Hans Hanson }		Mr John Hewett }
	Mr Elias King }		Mr Thomas Evernden }
	Mr Samll Wheeler }		Mr Jno Godden. }

Ann Arrundell County	Mr John Hamond Mr Henry Ridgeley Mr James Sanders Mr John Dorsey	Dorchestr County	Majr Henry Tripp Doctr John Brookes Mr Thomas Ennalls Mr Edward Pinder	Original Journal.
Caluert County	Mr Thomas Greenfield Mr Thomas Tasker Mr Henry Mittchell Mr John Bigger	Cæcill County	Mr William Dare Coll St Leidger Codd Mr Edward Jones Mr George Warner	
Charles County	Mr Wm Dent Mr Henry Hawkins Majr Ja: Smallwood Capt Phillip Hoskins			

The aforegoing names called ouer and were absent these Members following (Viz^t)

Maj^r Caruell, M^r John Edmondson, M^r Tho: Evernden, M^r Jn^o Godden & M^r George Wardener.

Sent from _____ and M^r James Sanders to the Councell Roome James Smallwood, M^r Thomas Greenfield & M^r Edward Pinder were not sworne yesterday.

_____ said _____ use themselves to this House for not Maj^r Smallwood for Excuse _____ vice, by Order of the Gouerno^r

_____ of this House, which being read _____ for the members thereof vpon (Viz^t)

May 11th 1692.

It is _____ delegates of this Province now Asse Obserued by the Burgesses & De _____ this House dureing the Sess _____ this

1st That No Burgess, Deputy, or Delegate _____ House shall vse any revileing Speeches _____ name any one by his proper Name but by another Significacōn (Viz^t) Gent^{lman} that speake last or the like.

2^{dly} That Noe _____ speake aboue once att a Reading to any Bill without Lycence of the Speaker, and if Two persons or more rise vp together the Speaker shall appoint who shall Speake first and noe one may interrupt another or Speake till the other hath ended.

3^{dly} That none shall deliuer his Opinion or Speake sitting to any Bill but shall stand up & reuerently direct his Speech to the Speaker.

4^{thly} That euery bill proposed to the House shall be read three seuerall dayes before it be Engrossed, and that between euery Reading one day shall be intermitted vnless upon uery Urgent Occasion M^r Speaker wth the Consent of the House shall dispence therewith, and then one being read twice att one Sitting shall be Sufficient as Read two Seuerall dayes & times when soe Entered vpon the Clarkes Journall.

5^{thly} That noe one shall come in to the house of Assembly whilst the House is sitting with a sword or other Weapon

Original
Journal.

but shall putt the same into the hands of the Dorekeeper or other person appointed thereto vpon penalty of a ffyne, as the Speaker Deputies & Delegates shall thinke fitt:

6^{thly} Any of the members bound to Attend this Assembly who shall be absent from the House att the hower & place appointed after the number of Eleauen of them and the Speaker according to the Ord^r for settleing the House shall be fined according to the Discretion of the house vnless vpon Lawfull Excuse & Admitted by the Speaker.

7^{thly} All misdemeano^{rs} which shall happen within this House shall be Censured & fined by this House.

8^{thly} When any Bill is presented & noe one makes objection therevnto, M^r Speaker shall appoint any one Member to speake to the said Bill, & deliuer his Opinion first and soe in Ord^r as M^r Speaker shall thinke fitt.

9^{thly} That Dureing the Sessions of Assembly noe one whatsoever, either Deputy Burgess Delegate or Clk shall Utter any Words or make Relation of any words spoken in the House To any bill or otherwise vpon debate or Conference vpon penalty of such ffyne as the House shall think fitt.

10^{thly} That noe Bill be read at any time dureing this Sessions of Assembly but In a full House, all Co^mittees being first Called in to the House.

11^{thly} That noe Burgess Depu this Sessions of Assembly presume to the House is Sitting vpon penalty house think fitt,

May the 11th 1692

of Assembly

The aforesaid Rules were

The House thought Convenient Harris to the Councill
to gett his Maj^{ties} high Court of Chancery

The House adjournes

The house again Mett the M^r Robert Mason

Returne of the M^r Edmondson M^r M^r
Godden & M^r Warner the house & Doe say that they

dispencc with that formall enjoyned them of take-
ing the Oathes and Desire to know what account they shall giue
to their Countyes for they were chose to serue & M^r
Speaker returned for Answere, that they draw vp in
Writeing their Reasons of their not takeing the Oathes &
then the House would consider of them.

Comittee of Priviledges & Elections appointed (Viz^t) M^r Jn^o Hamond }
The said Comittee was to enquire, into } { M^r Edw^d Pinder M^r }
disorderly & undue Elections } { W^m Harris M^r Phillip }
{ Clarke & Docter John }
{ Brookes }

Petition preferred by seuerall Mast^{rs} of Shipps & Read, which sett forth that the two Brownes being Shipps of force & ready to Sayle & haueing protection from all Embargoes, which now the said Petition^{rs} lay vnder, notwithstanding were able to make vp a ffeet of about Twenty Sayle & therefore capable to make a pretty good Defence if opposed. That if they were now stopt from their Voyage it would be of Considerable ill Consequence to them, proviissions being scarce to gett, besides runing the hazard of this Countrey Seasoning they therefore desire this house will be pleased to interceed with the Gou^rno^r in their behalfe that they may be permitted now to Sayle: To which the house nemine Contradicente did agree.

Petition of Seuerall freeholders of Calvert County preferred, and read, the maine Purport whereof was that their Election for Burgesses had not been fairly carryed on, & the same was left to the Comittee of Elections to Consider off.

The said Co^mittee tooke leave of the House and Carryed wth them the Returnes of the Writts of Election & Petition of Calvert County ffreeholders to Consider off.

M^r Greenfield a Delegate of Calvert County moves the House & does say he can giue vpon Oath of some illegall & vnfaire proceedings passed at the Election of Burgesses in their County and there vpon was Ordered to make his report to the Co^mittee of Elections Concerning the same.

M^r W^m out to draw vp a Petition to the Gouern according to the purport of their request

Returne the Gou^rno^r & Councill sent to this sworne in the Upper house.

Ridgeley, M^r Sanders, M^r Hawkins M^r Mason
Cap^t Whittington Cap^t Hoskins, M^r Wheeler M^r
M^r Ashman Cap^t Mittchell Maj^r M^r King, Doct^r Brooke,
M^r Wynne (Viz).
M^r Dent.

Signed John LLewellin Clk

Moued member of this house that a Co^mittee of Agreevances might goe forth by the house was thought necessary and therevpon M^r Speaker appointed M^r Wattson Coll Smith and M^r Hoskins to goe forth as a Co^mittee

Examine into such matters & make a report thereof to the House. Coll Codd giues notice to the members of the house that if any of them haue any agreevances to Offer they should present them, wherevpon Cap^t Whittington moued to the house that he had some Grievances drawne vp in a paper in his Shallop, and therefore asked Leave to fetch it w^{ch} was granted him

Original Journal. Mr Edward Jones reports to the house some certaine Grievances of persons brought downe out of their County vpon friuolous Matters, to their great Charge & all most Utter Ruine.

Mr Robert Mason and Mr W^m Dent returne into the house again with a Petition drawne as was ordered, which being read, it was ordered by the house to be Written vnderneath the Petition preferred to this house as follows, (uiz^t)

To his Excellency Lyonell Copley Esq^r Cap^t Genll and Gouerno^r of this Province &c^a

May it please y^r Excellency.

The aforegoeing Petition has been read in this house, who are generally sensible that the greatest part thereof is True & the Motives therein Layd downe very pressing and therefore doe humbly pray y^r Excellency on their behalfe to giue such Grant to the same as In your Wisdom you shall see Convenient.

Signed p ord^r

Hen Denton Clk Assembly

Moved by a Member of this house that Consideracōn may be had of the vse of habeas Corpus in this Province. The house referred it to a further Consideracōn.

Cap^t Whittington brings in to the house the paper of Grievances of Sumersett County which was Read and it was Ordered that he should Carrye the same to the Co^mittee of Agrievances.

Moued by a member of this house of considering of a way to Encourage the bringing in of Money and the same was seconded by another Member, and ordered by the house that some Method be Used towards the preparing a Bill for the same.

Mr John Edmondson, Mr & Mr George Warner came into the Reasons of not takeing the Oathes, as ffollows (Viz^t)

To the

Wee whose names are Delegates for our County
& due attendance to vpon Scruple of Conscience
although the Substance therein lemnly in the presence
of God, formance thereof, are not antient Customes
& Vsages of thereof, and a Certaine Act of Assembly to
science made and provided therefore, Wee Maj^{ties}
and our Countrey leaue this to y^r Serious consideracōn
a way for the reliefe of all tender consciences that be
put into a Capacity to serve their Maj^{ties} & our Countrey

John Edmond[son] Tho: Everenden }
John Godden [Geo:] Warner }

The House doe promise to returne them an Answer to their
s^d Petition. Co^mitte for inspecting the Laws appointed (viz^t) Original
Journal.

Mr W ^m Dent	}	Cap ^t Tripp	}
Mr Phillip Clarke		Mr Tho: Greenfeild	
Mr Rob ^t Smith		Cap ^t W ^m Whittington	
		Mr Edw ^d Boothby	

Ordered that some of the Upper house be desired to joyne wth the said Co^mittee Mr Phillip Clarke returnes from the Co^mittee of Elections and makes Report to the house, the sense of that Co^mittee concerning the Election of Delegates in Calvert County whoe Returne as follows May 11th 1692.

The Co^mittee to inspect the Elections and Priviledges &c., haueing duely Examined the Election for Calvert County doe finde the same to be a due Election.

Signed by Order Peter Dent Clk of the Co^mittee

Putt to a Vote, whether the said Returne of the Co^mittee shall be Confirmed or noe when a full house sitts.

An Answer to Mr Edmondson & his Bretherens Petition is referred by the house for Mr Speaker to giue.

The Gou^rno^{rs} Speech to the house againe Read, and ordered nemine contradicente that Thankes be Returned to his Excellency for the same.

The Co^mittee for Elections sent to the Councill wth this following Message, (Viz^t)

By the house of Assembly May 11th 1692.

This house haue appointed Mr Dent Mr Clarke Mr Smith Mr Tripp Mr Greenfield Mr Whittington & Mr Boothby to be a Co^mittee for Examination & inspection of the Body of Laws of this Province & doe desire that some Members of the Councill may be joyned wth them therein.

Signed p Order

Hen: Denton Clk Assembly.

Ordered by the house that euery Ordinary keeper bring in his Acco^t euery Saturday Night.

The Co^mittee for Agrievances Returne into the house & presented to the house severall Grievances drawne vp in a paper which were read & are as ffollows, (Viz^t)

Grievances presented to the Consideracōn

1 st Hum	land in euery respectiue County	
Number of Ordinaryes or		and to the depopulate-
ing thereof	Ruine of this our Province.	

Original Journal. 2^{dly} alicious persons out of their to the Provinciall Court for severall in the same County and the Answered some times for little hath appeared, it being a great Gri noe Indictm^t Bill, plaint or Inf to the Provinciall Court w^{ch} by County Courts.

3^{dly} great Grievance that their is noe Car for of the Clergy to the Service of God Almighty and ood of our poor Soules, by Erecting of Churches & provideing a Comp maintenance for such whoe are lawfully Authorized to Exer that function

4^{thly} And it is rther Reported great Grievance that all the vpper parts of this Province is forced to Travell to S^t Maryes vpon all Occasions, as to Courts and Assemblies & all other Occasions the Scituation being not Convenient, being at one End of the Province & inconvenient, when as it ought to be in the Center or as neare as possible might be.

5^{thly} Wee pray that it may be Enacted that all Wills may be proved in the County and Administracōns granted in the same County according to the Late Ordinance and that the ffees to such Clarke may be ascertain'd.

6^{thly} Itt is reported to vs as a great Grievance that Actions are brought for small quantities of Tobacco Wee pray that it may be Enacted that for the future noe Action be brought in to any Court of Record in this Province, vnder the Sume of ffour hunderd pounds of tobacco but that all Debts vnder that Sume may vpon Complainte to one or two Justices of the Peace in every Respectiue County be Lawfull for the said Justices vpon due prooffe of the Debts before them made to giue Judgment to the Complainant and vpon refuseall of paym^t to award Execution, allowing to them or their Clarke reasonable Costs.

7^{thly} Itt is reported to vs as a great Grievance the excessive Charges that is Expended in Ordinaries att Assemblies, Wee pray that it may be Enacted that euery Delegate that hereafter shall serve in these Generall Assemblies may know their Certaine allowance for euery dayes expence for themselves and their Men, by meanes whereof the aforementioned abuses will be Regulated and amended.

8^{thly} Itt is further Reported to vs as a great Grievance that Chirurgeons and Phisitions in this Province haue and Dayly doe to the Great Grievance of the Inhabitants of this Province Charge them with Excessive ffees, and noe Law provided to restraine Curb their Vnreasonable demands, pray that it may be Enacted that every Doct^r shall in his Acco^{ts} Charge the first Costs of his Medicins administred to his patients & thereto Add soe much more as his Costs, and for

every Visitt to Charge Tenn pounds of Tobacco for euery Mile that he shall Ride to Visitt his Patients as often as desired. Original
Journal.

9^{thly} Itt is reported to vs as a great being Indebted to the Sherriff and haueing wherewithall to dis the Credito^rs will not re may that henceforth ev the Twentyeth day of good tobacco, and the Credito^r shall refuse and Weighed, and if secured for acco^t of the Credi ereof for one yeare next ensu any action to be excluded

10^{thly} Wee further pray that it the vsuall Costomes in old England the to Ride the Circuit and that all Criminalls may be try their proper County according to the vsuall Customes in old England.

By the House of Assembly May 11th 1692.

Voted and ordered by the house that every Ordinary Keeper giue a perticular Acco^t of every Burgesses Expences and deliuer vp the same every Saturday Night and that an order to the same purpose be given vnder the hand of the Clarke of this house to euery Ordinary keeper hereabouts, to the end the same may be duely observed vpon pennalty of that Ordinary keepers forfeiting that weekes Acco^t soe neglected to be observed as afd. dureing this Sessions.

The House adjournes till to Morrow Morning Nine of the Clock

Thursday May 12th 1692.

The House againe Mett & ordered to be called ouer, and these following Members were absent, (Viz^t) Maj^r Caruell, M^r John Biggers, Maj^r Smallwood Cap^t Hoskins, M^r ffinney M^r Edmondson, M^r Everenden M^r Goddin, M^r Dare, M^r Warner.

M^r ffinney enters the house.

Coll Codd moues that some time of the day might be appointed when all the house may be present to heare debates.

M^r Dare Enters the house.

Moued by a member of this house that it may be put to a Vote whether or noe a full house shall not Continue together to heare Debates, dureing some certaine space of time every day, (viz^t from Nine of the Clock in the Morning till two in the afternoone.

Maj^r Smallwood Enters the House.

The aboue Motion was put to the Vote and carryed in the Negatiue.

The Returne, of the Writt of Election for Calvert County made by the Co^mittee of Elections appointed to Inspect such

Original Matters, ordered to be read in the house which was as ffollowes
Journal. (viz^t)

May 11th 1692.

The Co^mittee to Inspect the Elections & priviledges haue-
ing duely Examined the Election for Calvert County doe finde
the same to be a due Election

Signed p order Peter Dent Clk of the Co^mittee

Debated shall be Confirmed or noe.

Moued by put to a Vote which was

Green Bigger in to the house.

be put to a Vote, whether the might be acceptable
to this whole house that a Message might con-
cerning the Same.

M^r to withdraw, w^{ch} was granted him.

The likewise, that for Elections and priv arge.
cerning the Petition of some Memb^{rs} of Draw
vp and read & ordered to be sent, as ffollow (Viz^t)

By the house of Assembly May 12th 1692.

This [house] has been M[oved] by severall Members whose
consciencs will not permitt them to complaye [with the] forme
of the Oath of Allegiance and Abhorre[nce] as it is taken by
[their] Maj^{ties} other Subjects, and desire to serve their Maj^{ties}
and their Countyes in the Trust reposed in them, This house
are very desirous to haue the Assistance of all the members
of the same in those weighty affaires now before them and
alsoe of the aforesd members, if any Expedient can be found
out, in which Case, the vsuall Declaration made by persons
soe principled will be satisfactory to the house of their Loyalty
to their Maj^{ties} and ffaithfullness to their Covntry and the
Advice of their Maj^{ties} hon^rble Covncill herein is by this house
desired in the p^rmisses.

Signed p^r ord^r Hen. Denton Clk Assembly.

M^r Bigger enters the house.

The aforesaid Message againe read & sent by Coll Codd
& M^r Greenfield.

They returne againe and say they delivered the aboue
Message.

Ordered a Message to be drawne to present to the Gouver-
no^r & Councill to know the Convenientest time to waite vpon
their Hono^{rs} which was accordingly drawne and read, as fol-
lows, (viz^t)

By the house of Assembly May 12th 1692.

This house has ordered and Confined themselves to Cer-
taine howres of Meeting (viz^t) To meet att nine of the Clock
in the Morning and soe to Continue till four in the afternoon.

They have thought fitt to intimate this vnto your Hono^{rs} Original Journal.
desireing that you would be pleased to Signifye vnto this
house which will be the most convenient times to waite vpon
your Hono^{rs} about the business of the Countrey now in hand
that matters may be the easier comūnicated.

Signed p Ord^r

Hen Denton Clk Assembly

The aboue Message was sent by M^r Tasker and m^r Hawkins who retorne & say they delivered the same.

Ordered that a Message of thankes, to the Gouverno^{rs} Speech, from this house, be drawne vp, Which was as ffollows, (viz^t)

By the House of Assembly May 12th 1692.

This house haueing read his Excellencys Speech att
the opening the same soe Sutable & proper to
that they doe, Nemine con to urned to his Excellency.

The aboue Message read was accordingly done by
M^r M^r Jones, Coll Codd M^r Ma dgeley.

Major Caruell Enters

The aforementioned Gentlemen M^r Winne giues the
house an account no^r the which his Excellency
thankes to this house for the same & withall desired that the
the Province now in agitation might be Expedited.

Coll Codd & M^r Ennalls sent to Call in the Comītee
appointed for Inspecting the Laws.

The paper of Grievances ordered to be read ouer again
finde Convenient that the Article about Tipling houses be

Ordered by the house that his Excellency be Moved to
Cause a Rule of Court to be made in the Provinciaall Court,
that all Indictm^{ts} brought in the Provinciaall Court which are or
may be cognoscible in the County Courts shall be sent back
to the County Courts from whence such Indictm^{ts} are brought

The Comītee of Elections sent for, repaire to the house,
and bring in these Returnes ffollowing (Viz^t) May 12th 1692

The Comītee to Inspect the Elections & Priviledges &c^a
haueing inspected into the Election of M^r John Hewett, whoe
was Elected for the County of Sumersett being a man in
sacred Orders is thought not fitt to sitt as a member of the
Lower house.

Signed by Ord^r Peter Dent Clk of the Comītee

May 12th 1692.

The Comītee to Inspect the Elections & Priviledges &c:
haueing made Inspection into the Election for Cæcill County

Original Journal. doe finde that Coll: S^t Leger Codd whoe was Elected for the said Covnty ought not to Sitt as a member of the Lower house till he hath Cleared himself of an Accusation proved against him before a Convention held at S^t Maryes the 11th day of Aprill 1690 and hath since sent a Letter directed to Coll Henry Covrsey endeavouring to divert their Maj^{ties} Subjects from their Allegiance.

Signed p Ord Peter Dent Clk of the Co^mittee

An order of Convention as Likewise a Letter Concerning rebellious practices acted by Coll Codd read in the house.

M^r Wynne goes along wth Maj^r Caruell to the Councill to take the Oathes.

The House adjournes till to morrow Nine of the Clock.

ffryday May 13th 1692.

The House againe mett & ordered to be Called ouer and were absent these following members, (viz^t)

Maj^r M^r Harris, M^r Hamond, M^r Smith, M^r Ed
Doct^r Brookes, M^r Pinder, M^r the house except M^r
Edmondson

as his Crimes laid to his Charge
of Some of their proceedings
tions & Priviledges &c^a haueing Countyes &
Citty of S^t Maryes, the County of Calvert, the
Charles County of Baltemore, the County of Talbott the
County Sumersett & the County of Dorchester doe
finde Elections Citty & the Severall Countyes
aforesaid to be due and the fitt to sitt in the
house of Assembly except those persons that haue
been already offered to the Consideracōn of the house.

Signed p Ord^r Peter Dent Clk of the Co^mittee

The Co^mittee makeing noe Returne in the afd List of Cæcill County Delegates for answer to the reason asked them, doe say that information was giuen them of severall Misdemeanours & Crimes Laid against them, whereof the house thought fitt they should cleare themselves & therevpon were dismissed the house till the Matter were enquired into and debated by this house.

The Co^mittee for Inspecting the Laws ordered to goe out vpon their Charge.

Thomas Brookes Esq^r sent from the Gouverno^r & Councill with a Message to this house which was read as follows,
(Viz^t)

By his Excellency the Gouverno^r & Councill in Assembly. Original
Journal.

The Severall Messages this day rec^d from the house by m^r Greenfield, and m^r Cood, the second by m^r Dent, M^r Smith, Maj^r Tripp, M^r Whittington and the Last by m^r Tasker, and m^r Hawkins haue passed the mature & deliberate Consideracōn of this Board, and in Answere therevnto they Returne severally & in Order, as ffolows Viz^t

1 That this Board is very desirous to Concurr with the house in all things reasonable and safe for them to doe, especially should be very glad to giue that Sattisfaction both to the house & the persons themselves principally Concerned, whoe for tenderness of Conscience cannot complye with the Lawe In takeing the Oathes in such formality as is required, but after all their endeavours & strict scrutines there into, cannot finde out an Expedient for that purpose, without open Violation of the Lawes of England, which is not Consistant nor in any wise to be admitted off according to our p^rsent Constitution, alsoe wholly repugnant to the very express words of his Ex^{ncies} Comission, and his directions in his Speech att the opening of this Assembly now recomēded to the Consideracōn of the house for their further and better Sattisfaction.

2. This Board is ready and Willing to [join] wth some others of the house to inspect [the Body of the Laws as desired] but Concievs it altogether necessary [in the first place to consider matters] of greater Import, [weight and moment for the quiet peace and settlement] of this Province, and [necessarily leading to the making of wholesome] Laws for the good Gou[ernment thereof, such as recognizing the undoubted] Right and Soueraignty [of their Majestys in and to this Province; this] present Meeting a Legal [and duly qualified Assembly to enact] and make such Laws vnder [such an Authority; and then an Act of] Indemnity & some mea[sures for the Confirmation and settling of all] Matters Judiciall & otherwise [since the late Revolution as shall by this] Assembly be thought [fit to be presented to his Exce^{ly}, and by] him to their Maj^{tes} for their [Approbation and assent.]

These things and some oth[ers recommended by his Exce^{ly} in his speech] to the Consideracōn of this Assem[bly premised and Considered: This Board] will as before readily joyne in Comittee with the [house] in the [matter] desired or what else may reasonably be offered to them.

3: This Board shall and will alsoe be [ready] to receiue a Message or conferr with the house ab[out the] Emergent affairs of the Province whensoever the same shall [be] thought convenient [or] desired by the house.

Signed by Ord^r John LLewellin Clk.

Original
Journal.

Moved and Voted in the house whether the Inspection of the Old Lawes or the Goeing vpon those mencōned in the Aboue Message shall be Expedited first.

Itt was carryed by the Majority of Voices to goe vpon the old Laws first.

Voted in the house, nemine contradicente that an Address be drawne to returne his Majesty thanks for his Gracious care in the Settlem^t of the ruin'd State of affaires here in this Province, and takeing the same & this Gouvernm^t imediately vnder his owne protection.

A message sent from the Co^mittee of Lawes as follows, (Viz^t)

By the Co^mittee for Inspection of Laws, May 12th 1692.

Debated in the Co^mittee what the Laws of this Province shall beare, and it is the Opinion of this Co^mittee, instead of the words formerly vsed, these words be inserted; Lawes made & Enacted by their Sacred Maj^{ties} W^m & Mary King & Queen of England &c^a by & with the Advice and Consent of the Gouverno^r & Councill & This Gen^l Assembly.

The Advice of the house humbly is prayed in the p^rmisses.

Signed p Ord^r Cleborne Lomax Clk Co^mittee

Ordered by the house, that all Lawes now or hereafter to be Enacted be Enacted thus, Viz^t) Lawes made & Enacted by Gouverno^r & Councill and Generall Assembly.

The debate about Coll Codd reserved till the Morning.

The Clarke of this house sent by Docter Brookes m^r Pinder and m^r Sanders to be presented to the Councill to take the Oaths of Allegiance and Abhorrency, as Likewise the Oath of Clarke of this house the Teno^r whereof was as follows, (Viz^t)

You doe sweare that you will well & Truely Execute the place & Office of Clk of the house of Assembly, you shall true & faire Record keep of the proceedings of the said house the secretts thereof you shall not divulge or reveale to any person & in all oth^r matters & things relateing to the said Office you shall ffaithfully to the said place & office be-longeth; according to the best of your soe help &c^a of Allegiance & Abhorrency before the Councill this

LLewellin Clk.

Answer to a second Message sent Viz^t)

May 13th 1692.

As [to the Answer to the second Message to this] house, this house does say, be[fore their Honours answer thereto

they had ordered] that a bill of Recognition [of his Maj^{ty}s right and title to this Pro]vince, alsoe a Bill for Reliefe [against the Act of Limitations &] alsoe another Bill for Salveing of [all errors in proceedings at Law occasioned] by the Late Revolution ord^d to [be brought] into [this house] by some other Members of the said house then the [said Com]mittee, [that so] said Com^{it}tee for Inspection of the Lawes may [proceed] vpon their [charge] from this house in which the most materiall [mat]ters in this As[s]embly will] be debated & dispatched, therefore they [humbly] desire that wha[t persons] his Ex^{ncy} intends to be Assistant to the said Com^{it}tee may be with expedition sent to them, it being a business that requires most [time] and of greatest difficulty, otherwise the said Com^{it}tee must proceed by themselves.

Original
Journal.

Signed p Ord^r Hen. Denton Clk Assembly.

The aboue Message sent by Maj^r Smallwood.

Another Message drawne vp to be sent to the Gouverno^r & Councill desireing an Answere to a former Message sent yesterday from this house. Which was as follows, Viz^t)

By the house of Assembly May 13th 1692.

This house in a former Message Signified to y^r Hono^{rs} that they had appointed certaine hours of meeting to the End business might be the better expedited, hoping that your hono^{rs} would haue intimated to this house something of the same nature Ordered in Councill, whereby a duer correspondency might be kept betwixt your hono^{rs} & this house therefore humbly require an Answere to it,

Signed p Ord^r Hen Denton Clk Assembly.

The same was Read ouer to the house & sent by the hands of m^r Bigger & m^r Wattson.

Ordered by the house that some care be taken to procure the Booke of Entries of Shipping business from Maj^r Sewalls or elsewhere to be had.

Voted by the house Nemine contradicente that consideration be taken of a Supplye for the Support of the Gouverno^r & Councill and other necessary Supplyes to the Gouvernement.

Message from the house sent to the Gouverno^r & Councill to request the Booke of Entries of Shipping Business which was as follows, Viz^t)

By the house of Assembly May 13th 1692.

This house does desire that your hono^{rs} will be pleased to Cause to be procured (with what convenient dispach may be) the booke of Entries of Shipping business from the yeare 86 to the time of the Revolution, for the perversall of this house

Signed p Ord^r Hen Denton Clk Assembly.

Original Journal. Mr Bigger Returnes to the house message sent by
him into the Clk of the Diner.

The house Adjournes

Sat

The house againe mett emb^{rs} Viz^t) Mr Wattson, Mr
& Mr Warner, Co^mittee County Delegates all
absent

Report from the Mr W^m Dent in a paper.

Motion made by a yett that any thankes Cap^t
Cood (Agents for the in England for this Countrey
and the house does vnanimously harty to Mr
Speaker & Cap^t Cood for their & dilige Used
about the Managem^{ts} of the Publick of this Province
half of the Countrey in England.

Mr Hewett Enters the house & is told by m^r Speaker that
the Co^mittee of Elections haue returned him a person vnqualli-
fied to Sitt as a Member of this house by reason of his being
in sacred Orders.

Some of the house desire to be Sattisfyed how the Law
determines that Matter.

They desire m^r Hewett to giue them a Sermon to Morrow
being Sunday.

The paper from the Co^mittee of Lawes, delivered to the
house ordered to be read

Debated whether the Act for Church Liberties (being the
first Act therein mentioned should be Entitled as formerly or
noe, and put to the Vote, whether to haue it in Two Lawes or
one & Carried by the Majority of voices to be in one.

The second & Third Acts in the said Paper mentioned dis-
allowed.

Co^mittee of Elections Repaires to the house wth the
Returne following, Viz^t)

May 14th 1692.

The Co^mittee appointed to inspect the Elections & Privi-
lidges &c^a haueing perused severall Depositions & papers
Relateing to Cæcill County finde the Deposition of W^m Ward
fitt for the Consideration of the house of Assembly.

Signed p Ord^r Peter Dent Clk of the Co^mittee

The Deposition of W^m Ward order'd to be read w^{ch} was as
follows, Viz^t)

Will^m Ward aged about forty five years the aforesaid
Deponen^t vpon his Oath further declares as follows, Viz^t)
That at the first Court held for Cæcill County after the Con-
vention held in Aprill Anno 1690 M^r Edward Jones & M^r

George Warner called Cæcill County Court & held the same in the name of the Lord Baltemore, denying the Authority of the Late Convention, wherevpon this Deponent vnderstanding that the Convention had ordered that the severall Magistrates of this Province by the same Confirmed and appointed to take the Oath of Magistrates in their Majesties Name did in open Court sitting demand the Oath in their Maj^{ties} Name, w^{ch} The said vtterly refuse to take, and the said Edward Jones would Self pleased; wherevpon the said Oath Depon^t wth others then Comissionated Edward Jones, Will^m Dare and of the said County withdrew the Court House in Cæcill they not been prevented by Saith not. that at a Late Court Holden for last past Mr Edward Jones Subjects openly declare that & that for a Word of his he know the people would stand William Ward.

The War makes Oath to what is
on boath of this paper the 8th of October
Before Vs.

Hen
Nicho Greenberry
Rob^t Mason.

Moued by a memb^r of the house that it may be put to a Vote, whether the Accusation brought against Coll Codd be Sufficient to Expell him this house or noe.

The house cause the order of Convention ag^t Coll Codd and Likewise his Letter formerly read, to be read over againe.

Mr Elias King ordered to Call Coll Codd into the house, who accordingly makes his Appearance.

Mr Speaker acquaints him of the Co^mittee of Elections Report to this house, of seuerall Crimes layd to his Charge, which incapacitated him to Sitt as a member of this house.

The said Coll Codd desires that his Crimes laid against him may be made in some sort or other apparent, wherevpon was ordered his Letter again to be read, whoe denyes the said Letter to be his Act or Writeing.

Mr Harris acquaints the house that he heard Cap^t Peregrine Browne say Coll Codd did read a Copy of the same Letter, read in the house, to him the said Browne.

Coll Codd desires to knowe if any thing Else were Charged against him, and then ordered the Ord^r of Convention to be read again; whoe after the reading thereof did say, he never heard any thing of the said Accusation before.

Original
Journal.

Moued by a member of this house whether the ord^r of Convention against Coll Codd shall be taken as good prooffe against him for those Crimes therein mentioned, laid to his Charge, which was allowed.

Itt was afterwards putt to the Vote, whether he be a person quallified to Sitt as a Member of this house, which was Carried in the negatiue, and therevpon was dismissed the house.

A Message brought from the Gou^rno^r & Councill by M^r Tench read in the house, which was as follows.

By his Ex^{ncy} the Gouerno^r and

In answe^r vnto the Mess[age received yesterday from] Cap^t Bigger & M^r Wattson, this Board [have appointed to sit from ten of the clock in the] Morning to four in [the afternoon, between such hours the house may] direct any Message [or apply to this Board for Conference upon any] Occasion, and the Same [will be readily received and Consented to. This Board] haue alsoe Appointed the [honourable Col. Jowles, Col. Nicholas Greenberry] and M^r John Addison [to join in Committee with the Members of] the house of Assembly for [inspecting the Body of the Laws of this Province] [Signed p^r Order John LLewellin Cl.]

M^r Edmondson M^r Ev for to the house, whoe appeare
M^r Speaker acquaints this house in their behalf,
as Likewise the Answer to the Same Gouerno^r and
Councill to this house, whereby were well fyed
that the Cause of their being rendered was by
the Lawe of England and the Gouer from the
would not permitt any person to Sitt in house without
the Oathes and therevpon they were dismissed the
house.

M^r Hewett was then Likewise dismissed the house, by reason of his Ministeriall function, the Lawe in that Case, as was afore desired being read in the house, rendering him, in the Opinion of the whole house vnquallified.

M^r Jones and M^r Dare Called into the house.

Ordered the Returne of the Co^mitte^e of Elections about Cæcill County to be read ouer againe; as Likewise W^m Wards Deposition ag^t M^r Jones and M^r Dare &c^a

The house is of Opinion that vpon their giueing good security for their good behaviour they may be againe admitted into this house.

Ordered by the house that M^r Speaker goe vp to the Gouerno^r to Giue his Warrant for the issueing forth of New Writts of Election in the roome of the disabled Members.

The house adjournes for halfe an hower.

The house againe mett and present as before.

M^r Wattson Enters the house, whoe before was absent. He is ordered to take bond of M^r Jones and M^r Dare with good & Sufficient Securities for their good behaviour.

M^r Wattson giues information to the house that M^r Dare refuses to giue Security, and there vpon was Voted out of the house.

Ordered by the house that the said Dare be taken into Custody for his Contempt to this house, Viz^t)

By the house of Assembly May 14th 1692.

Ordered that the Officer that attends this house in the nature of Serjeant att Armes imediately take into his Custody the Body of W^m Dare of Cæcill County that he may appeare here on Monday Morning next to answeare the Contempt of this house.

Signed p Ord^r Hen Denton Clk Assembly.

The house °Clock on Monday Morning Next.

absent these following Memb^{rs} Uiz^t) dome on
Saturday.

to M^r Hewett & M^r Clayland

be made to the said M^r in this house, dureing
orning & preach on Sundayes vpon the aboue

Message.

those Gentlemen of the Councill that the
Comitte of Lawes to acquaint them that Roome
abo in the State house is appointed & fitted vp for
Comitte in, & that they are now ready to pro-
ceed on their

Cap^t W ington & M^r Boothby to the house, and
doe say, that the Gouverno^r desired them to acquaint the
house, that those Gentlemen appointed out of the Councll to
joyne in assistance with the aforesaid Comitte, would repaire
to the State house presently.

M^r Dent, M^r ffinney & M^r Wheeler returne and acquaint
the house of M^r Hewett & M^r Claylands acceptance of their
Message, and doe say will be ready att the State house every
Morning, to say divine Service vpon the Beate of the second
Drume, dureing this Sessions of Assembly.

M^r Phillip Clarke Enters the house.

Voted by the house that the Act for Liberty of Conscience
be Confirmed.

Original Journal. Mr Dare sent for to the house whoe makes his appearance. Mr Speaker acquaints him wth his Contempt for refusing to giue Bayle according to the Order of this house.

The said M^r Dare for Excuse does say, that vpon his being demanded to giue security by the Gentleman sent from this house, he did refuse the same at that time, being a little Surprized, but vpon recollection afterwards did seeke after the said Gentleman, and Could not finde him, to the End to giue Security, according to the Order of the house, and now does say, he is willing & ready to doe the same.

Ordered by the house that vpon the said Dares Entering into Recognisance to be indebted vnto our Sou^raigne Lord the King in the Sum^e of Twenty pounds Sterl: vpon acc^t of his good behaviour &c: before some one of his Maj^{ties} Justices of the peace &c^a he be discharged, paying his ffees &c. and the house therevpon ordered him to pay vnto the Serjeant att Armes the Sum^e of two hundred pounds of Tobacco.

The said M^r Dare Enters into Recognisance, as aforesaid, in the aforementioned Sum^e, before M^r Wattson one of his Maj^{ties} Justices of the Peace for the City of S^t Maryes, and there vpon is discharged paying his ffees.

Ordered by the house that all the by vertue of the petition from this pay vnto the Clerk of this house, the sd. Clk may not be disap him as aforesaid, his Ma desired to giue a List of the Clerk aforesaid.

Ordered likewise that Clerk of this house as a acco Except such as are

The house againe me

Voted that a Clerk assista for the Coppying of all Mat of regu

M^r Peter Dent Chosen Clerk ass the house

The house Enters againe vpon the Debate Grievances merly Reported from that Com^{it}tee animously agre hat these following Articles be sent Com^{it}tee of Law order to be drawne vp into Acts, which are as follow, Viz^t

By the house of Assembly May 16th 1692.

Ordered that the following Articles be drawne vp into Lawes, Viz^t

1. That the number of Ordinaries be ascertained in each County.
2. To Lay the Province into Parishes, and that care be taken for provision for the Clergy.
3. That Wills be proued & Administrations granted in the County Courts by deputies appointed in each County.

4 That Two hundred pounds of tobacco p diem be allowed to Each Burgess for his owne & mans Charges: and itinerant Charges for Boates & horses left to the Co^mittee of Laws, by this house to Consider off

Original
Journal.

Signed p^r Ord^r Hen Denton Clk Assembly.

The aboue Order deliuered to M^r W^m Dent, for him to Co^municate to the rest of the Co^mittee.

All the other Grievances, in the Report of that Co^mittee mentioned were rejected, Saue the fourth Article which was putt to the Vote; and Voted by the house whether the State house and Provinciaall Courts kept here in S^t Maryes, be a Grievance or noe, and Carryed in the Negative.

Voted againe whether the said Vote shall be reassumed the next Sessions of Assembly or noe which was carryed in the Affirmative.

Likewise the Eighth Article concerning Docto^{rs} & Chirurgeons Voted to be referred till the next Sessions of Assembly.

The house Adjournes till to Morrow Nine of the Clock.

Tuesday May the 17th 1692.

The house againe mett & Called ouer and were absent these following Memb^{rs} (Viz^t) M^r Smith & Gentlemen of the Co^mittee of Laws.

Then was read ouer what was done yesterday.

Message from the Co^mittee of Lawes deliuered in the house by m^r Speaker ord^d to be read, which was as follows (Viz^t)

Vpon de inspection of Laws May 17th 1692. p hogg ties & the Imposition of Two Shillings Co^mittee, that as well an hoggshead & the fourteen-pence being of the Lawes, as the accrue, and to that End pelled to giue an account Exported out of this Province to the Revolution.

soe that they may communicate on soe that if it be approued Navall officers before

Lomax Clk Co^mittee

Voted Coll Da Sewall (together with the Navall Officers) be sent attend this which was done in the following Ord^r as follows Viz^t

By the house May 17th 1692.

Order by this house that Darnall & Maj^r Nicholas Sewall doe att or before Saturday next attend this house with their Bookes of Entries of the Impost of the Two Shillings

Original Journal. p hhd and 14^d p Tonn since thc Lawes for those duties haue been in force, in ord^r to render an Account of the Same,
Signed p Ord^r Hen Denton Clk. Assembly.

By the house of Assembly May 17th 1692.

Ordered by the house, that the Navall Officers bring in their Accounts since the time of the late Revolution within this Province, the same to be done at or before Munday next.

Signed p Ord^r Hen Denton Clk Assembly.

M^r Greenfield sent from the Co^mittee of Lawes wth the following Message which was read as follows, Viz^t By the Co^mittee for inspection of Lawes May 17th 1692.

The Co^mittee being informed that M^r Lynes hath paper & paper being very scarce & much wanting to proceed about the Engrossing of the Lawes, would desire that a messinger may be sent to M^r Lynes to see to procure some, Soe that there may be noe delay about the same.

Signed p Ord^r Cleborne Lomax Clk Co^mittee

The said Message sent by m^r Hoskins & m^r Wheeler in order to Treate with m^r Lynes about the s^d matter.

A Serjeant att Armes sent for to take Care to see the afore-mencōned Ord^{rs} conveyed away in ord^r to be Served.

Voted that an Act of oblivion be drawne vp.

Message to the Co^mittee of Lawes, drawne vp & read as follows, Viz^t By the house of Assembly, May 17th 1692.

Itt is the sence of this house concerning the Article for probate of Wills and takeing out Letters of Administration, that some easy way may be thought vpon, for the Ease of the People of this Countrey that they may not be troubled to Travell downe to S^t Maryes to prove Wills & take out Letters of Adm^{racon}

Signed p^r Ord^r Hen Denton Clk Assembly.

M^r W^m Dent with the rest of the house and their Report read ouer.

M^r Peter Dent sent for Serjeant att Armes
Ord^{rs} now delivered to goe vpon the said

Voted that the Lawe for

Vpon reading the Act erning Negroes & Slaues
put shall be putt to the vse of the

M^r Wattson ordered as the oath of Clk assistant
to M^r

Sayes he has administred giuen the Clk of this
house

The Lawe for makeing Warr or peace beyond the
Limitts of this Province and Leavying for defray

the Charge thereof, Voted whether to Con and Carried Original
Journal.
in Negative.

Ordered that a Co^mittee of accounts appointed next
and to the End Notice thereof may be giuen to all
persons Concerned, the order of the house is to be posted,
concerning the same, att every Ordinary keepers Dore, The
Teno^r whereof was as followes Viz^t

By the house of Assembly May 17th 1692.

This house does giue Notice that a Co^mittee for Inspecting
of Acc^{ts} will goe forth on Monday next and all persons con-
cerned are hereby Ordered to prepare all Matters of Acc^{ts}
they haue to bring in by that time,

Signed p Ord^r Hen Denton Clk Assembly.

Petition of M^r Tench (concerning the Erecting of Water
Mills) read and allowed of, and thought by the whole house
to be a very Necessary and convenient Lawe, and therefore
ordered the same to be renewed.

The request of the Pet^r was Likewise granted, with an ord^r
for a Clause to be incerted in the said Act in favour of the s^d
Petitioner, according to the desire of his Petition.

Ordered that a bill be brought in for the Encourageing of
the breed of Horses.

Ordered (by way of Informacōn) that the Justices of euery
County p^rsent a person to the Secretary to be their County
Clerk the house thinking th^t the properest meanes & way to
gett p^rsons fitting & quallified to serve the Countrey.

Ordered that a Law be made for the killing of Wolves, and
the Encouragem^t for doeing the same is Left to the Co^mittee
of Laws to Consider off.

Ordered that a bill be brought in against the Exportation
of Deere Skins either Raw or dressed, and the same refferred
to the Co^mittee of Laws.

The house adjournes till to Morrow morning Nine of the
Clock.

Wednesday May 18th 1692.

The house againe mett, and called ouer, & were absent
these following Memb^{rs} Viz^t

M^r Smith } M^r Ashman }
M^r Pindar } M^r Wattkins } and The Co^mittee of Lawes

Then was Read what was done Yesterday.

M^r Hosk of Lawes, and ordered by the house that
morning ; sent by the said M^r Hoskins
Province without the Consent
the said Act was againe read.

Original
Journal.

shall pass as it is now drawne added to the Act
of Religion, in of Voices that the Priviledges
Religion in the roome thereof.

Coll Robotham and Cap^t Courts, w^{ch} Assembly
May 18th 1692.

desire of Assembly and desire their
Chamber forthwith.

Signed p Ord^r John LLewellin Clk

Voted the house shall the said Conference, or
Returne an Answer to know what occation they are
Called to the same, and resolved that an Answer be drawne
vp & sent which was as follows, (Viz^t)

By the house of Assembly, May 18th 1692.

This house is ready to Waite vpon y^r Hono^{rs} to joyne in
conference according to the desire of the Message last sent,
but first are willing to knowe the Subject Matter vpon which
the s^d Conference is desired.

Signed p Ord^r Hen Denton Clk Assembly.

the same was sent by Cap^t Hamond & M^r Wattson.

An Act for the Publication of all Lawes within this province
for the future, read and passed the house the first reading:

An Act prohibiting fforraigne Engrosers read, and passed
the house the first reading.

An Act for takeing away all Erro^{rs} in Proceedings in Law
& Equity & in the Court for probat of wills occasioned by the
Late Revolution & for Reliefe ag^t the Act of Limitations, read
& passed the house the first reading

An Act of Recognition of their Sacred Maj^{ties} Right and
Title to the Province of Maryland read, and passed the house
the first reading.

An Act for the service of Almighty God and the Establishm^t
of the Protestant Religion in this Province, read and passed
the house the first reading, with some amendm^{ts} to be referred.

Message from the Gouverno^r & Councill brought by Coll
Hutchins & M^r Brookes, which was read as follows, Viz^t

By his Ex^{ncy} the Gouverno^r and Councill in Assembly May
18th 1692.

Att the Conference the Subject Matter will be declared.

Signed p Ord^r John LLewellin Clk.

M^r Speaker with the rest of the members of this house goe
vp to the Councill Chamber to joyne in Conference with that
board, from whence after a short time there spent, they re-
turne to the State house & Take their places.

An Address to their Maj^{ties} from this house drawne vp & read, & vnanimously assented to. Original Journal.

Message to the Gouverno^r & Councill Drawne vp and read as follows, Viz^t

By the House of

This house does humbly de[sire the Concurrence of your Honours to this Address] in order to be sent to their [Majesty's]

[Signed pr order, Hen. Denton Cl. Assembly.]

This Message was

An Act for the preser read and passed the fir
John Ouldson & Mathias but of outlandish Nativi
may be Naturalized & ma

Ordered that an Act the Request of the Pe
sent to the Gouvern^r and M^r Dorcey for their ap
An Act for the publication of [all laws within this province]
An Act for prohibiting forraigne [ingrossers]
An Act for the preservation [of the sever]all Harbours to
this Province

M^r Hamond & M^r Dorsey return Say they delivered
Acts into the Clk of the Councill hands.

Sent to the Governo^r and Councill these following Acts by
m^r Harris, M^r Ridgley, M^r Hamond, M^r Wattson, & M^r Hos-
kins, viz^t

An Act of Recognition of their Sacred Maj^{ties} Right & Title
to the Province of Maryland.

An Act for the Takeing away all Erro^{rs} in Proceedings &c^a
& for Reliefe ag^t the act of Limitations &c^a

Message from the Co^mittee of Lawes brought by Maj^r Tripp,
and was as followes Viz^t

By the Co^mittee for inspecting the Laws May 18th 1692.

This Co^mittee received a Message sent by Cap^t Phillip Hoskins and there in the Order of the house that a Bill be brought in for the Encourageing the breed of Horses; this Co^mittee are of opinion that too many are already in the Province, and rather than Encourage wee are Contrieueing how to lessen the Number & better the breed of them, but if they must be Encouraged, to know by what Methods the same must be done.

Signed p Ord^r Cleborne Lomax Clk Co^mittee

The house Adjournes till to Morrow Morning Nine of the Clock.

Original
Journal.Thursday May 19th 1692.

The house againe mett & were Called over and were absent these following Memb^{rs} Viz^t

M ^r Smith	M ^r Ashman	} and Com̄ittee of Laws.
M ^r Pinder	M ^r Wattkins	
M ^r Mason		

Message from Gouverno^r and Councill delivered into the house by m^r Speaker which was as follows

By his Ex^{ncy} the Gou^rno^r & Councill in Assembly May 18th 1692.

This Board readily concurr with the Message of the house Last sent hither by m^r Dent, Maj^r Tripp, and m^r Whittington in Addressing their Maj^{ties} as desired.

Signed p ord^r John LLewellin Clk.

Putt Gen^{ll} pardon shall take place in this Province or

M^r Dent of Lawes and p^rsent to the house to their Charge againe.

accordingly appeare.

Income shall be allowed

raised by the yearly Assesment^{ts} Taxable in Each
parish, worth fifteen thousand pds Majority of
Voices that fferty pounds of Tobacco p poll
againe.

An [act] for the [service of Almighty] God, & the Establishm^t of the protestant [Reli]gion in this [Province] passed the house the first reading.

The said was sent to the Councill by m^r Hoskins & M^r Wheeler whoe re & say they deliuered the same.

An Act prohibiting the Transportation or Sale of their Maj^{ties} Ordinance or Amunition &c: Read & passed the house the first Reading.

The said Act sent by m^r Mason & Maj^r Smallwood to the Gouverno^r & Councill.

Message from the Gouverno^r & Councill brought by Coll Hutchings & Cap^t Courts which was Read as follows, Viz^t

By his Ex^{ncy} the Gouverno^r and Councill in Assembly
May 19th 1692.

The Bill for takeing away Error^{rs} in proceedings &c^a and for Releife ag^t the Act of Limitation hath been twice read, and approued off, as very Necessary to be passed into an Act.

but they are alsoe of Oppinion, that it ought to take place
from the begining of the Revolution which was In the Month
of August Anno Dom. 1689

Original
Journal.

Signed p ord^r

John LLewellin Clk.

An Act touching Indians, read & passed the house the first reading.

An Act for the more Speedy Bringing to Tryall & Suppressing Criminalls & Limitting their punishments for certaine Offences when psecuted in the County Courts, read & passed the house the first reading.

An Act ag^t Hoggstealers & marking of Hoggs, read & passed the house the first reading.

An Act for Limitation of Certaine Actions for avoideing Suites att Law read & passed the house the first reading.

The said Acts were sent to the Gou^rno^r & Councill by m^r Tasker & M^r Hamond.

M^r Mason & Maj^r Smallwood returne & say they deliuered the Message sent by them.

Coll Robotham & M^r Brookes come from the Gouverno^r & Councill & Acquaint this house that severall Acts sent them, had been read & passed that board, & with all desire them when they are returned hither they may receiue Two Readings more & soe be remitted back to that board again for a finall approbation & passing.

Maj^r Sewall makes his Appearance of this house, and does informe Bookes of Entries of Shipping

An Act for Restrain[ing the unreasonable increase of horses]. to the vote whether the Negative.

The Comitte of in a full house.

An Act for takeing ag^t the Act of Limitation reading.

Ordered by the house be Printed and that one & recorded.

Coll Browne & Cap^t Cour Act yesterday sent that

An Act of Recogn[ition] of [their Majestys right and title in this] Province of Maryland read & passed reading

An Act prohibiting fforraigne [Engrossers] passed the house reading

An Act for the preservation [of the sever]all harbours wthin [this Province] read and passed the house the Seco reading.

An Act for Limitation of Certaine actions for avoiding Suits att Law, read & passed the house the second reading.

M^r Hamond & Docter Brookes sent to the Gouverno^r & Councill with the last mentioned Acts.

Original
Journal.

Mr Wynne absenting himself from this house without Leave of the Speaker is therefore by the Ord^r of the house fined in the Sum^e of 100 pds of Tob^a

An Act for makeing high wayes, and makeing the heads of Riwers Creekes Branches or Swamps passable for horse & foote, read & passed the house the first Reading.

An Act for the Enrollm^t of Conveyances and secureing the Estates of purchasers, read and passed the house the first reading.

The Two Last Acts sent to the Gouverno^r & Councill by Doct^r Brookes & Mr Ennalls.

The house adjournes till to Morrow Morning Nine of the Clock.

ffryday, May 20th 1692.

The house againe mett & were Called ouer, & were absent these following Memb^{rs} Viz^t

Maj ^r Smallwood	}	Mr Wattkins
Mr Ashman		Mr Smith

Then was Read what was done Yesterday.

Mr Wynne excuseing his absence yesterday, to the house, desired his ffine might be remitted, which was accordingly done.

Mr Mittchell Requests the Leave of this house to goe home, in order to send after three Servants of his that are rune away from him, which is granted him vpon Condition he returne on Monday next.

The Co^mittee of Lawes goe out vpon their Charge.

Mr Griffith Jones sent for to Attend this house.

These following Acts, drawne vp brought into the house, Viz^t

An Act ag^t Burners of ffences read & passed the house the first Reading.

An [Act securing Merchants and others] Tobacco after they haue received it, read &

An Act [declaring what shall be done] by the Sherriffe ex officio,

[An Act prohibiting arrests on Sabbboth days] & dayes of Generall Mustering

passed the house the first reading. &c^a and for
Reliefe against the third reading.
read as follows, Viz^t

20th 1692.

This pleased to expedit those bills ready to
goe vpon the

enton Clk Assembly.

An oth & Councill w^{ch} was read as follows, Viz^t

Original
Journal.

By the May 20th 1692.

This hou[se do] humbly conceive [th]at the Stile appointed to be giuen the Lawes of Province being contrary to the President of all our Neighbouring Plantations, doe humbly desire your Hono^{rs} Concurrence with this house in the Stile-ing of them after the Example of Virginia or Jaimaco, the same being approved off in England.

Signed p Ord^r

Hen Denton Clk Assembly.

The aforesaid Acts & Messages were sent to the Gouverno^r & Councill by m^r Wynne, M^r Mason, M^r Tasker, M^r Hoskins & M^r Bigger.

They returne & say they delivered the said Message as to the first that those Bills should be Expedited, & that to the other an Answer should be returned the next Morning.

M^r Griffith Jones comes to the house, and is by them desired to Assist in the Engrossing of the Laws, who accepts thereof.

Comittee of Lawes repaire to the house, and bring in their Report, which was ordered to be read.

In reading the same it was ordered that a penalty of one thousand pounds of Tobacco should be putt vpon every person Neglecting to gett his Stilliards yearly Stamped by the Standard.

That Likewise the Act concerning Proceedings att Law be drawne anew, leaveing out the Last Clause.

Voted whether the Act concerning those Servants which haue Bastards, shall stand as it is in the old Law, without amendm^t or noe & carried in the Negative.

That in the Act for Erecting a Court house & prison in Every County the ffine be made fve Thousand pounds of Tobacco only, to accrew towards the Use of building a Court house.

That in the Act for Limitation of Officers fees, the words (and recording) be annexed to the word, fileing.

Ordered that every County pay the itinerant Charges of their owne Burgesses that Attend.

Put to the Vote whether the Gouverno^r ffifty Thou- sand pounds of Tobac publick Charge of the Province, without and carried in the Nega

That in the Act for Exception for Mer

Voted whether the the County Courts shall

That the Severall the next Sessions of

Voted whether Out (by the Comittee) offe

Carried in the Affirmatiue

Original Journal.	That the Act for	the next Sessions of Assembly
	The ho Mor	Nine of the Clock

Satvrday

The house again mett & were and were these
following members Viz^t

Maj ^r Smallwood	}
M ^r Mittchell	
M ^r Smith	
M ^r Ashman	

Then was read what was done Yesterday.

Message to the Gouverno^r & Councill drawne vp, and read
as followes, Viz^t

By the house of Assembly, May 21th 1692.

This house being now ready to goe vpon the Debate for
settling an Allowance for the Support of the Gouvernm^t and
being willing to informe themselves of the yearly Revenue of
the Imposition of the 2^d p hhd doe therefore humbly desire
your Ex^{ncy} will be pleased to pmitt M^r LLeuellin to come
downe to this house for some small time, and that he may
bring along with him the severall Accounts by him taken from
the Navall Officers of this Province, to the End they may be
rightly informed about the same.

Signed p Ord^r

Hen Denton Clk Assembly.

The said Message was sent by m^r Hamond & M^r Dorcey.

An Act relateing to the Seisure of Tobacco by the Sherriffe;
read and passed the house the first reading.

M^r Hoskins moues the house that he may haue leave to goe
home vpon some Urgent occasions that calls him thither,
which was granted him vpon Condition he returne on Tuseday
morning Next.

Ordered that 150^l tob: be allowed to the Comissaries Dep^{ty}
of each respectiue County for his ffee for granting out Lett^{rs}
of Administration and proveing of Wills, but in Case the
Estate doe not Exceed 2000^l tob. the ffee shall be 50^l tob onely.

Message to the Governo^r & Councill drawne Vp, and read
as follows, Viz^t

House of Assembly May 21th 1692.

This house [do think it convenient that every] County
Court with in this Province should [have an Escutcheon and
seal with his] Maj^{ties} Coate of Armes thereon, & [do] there-

[fore humbly desire your Exc^y will] be pleased to giue ord^r for [the same to be brought in, and that the name] of the County to which each [seal shall belong, be put round the said seal], and the Charge thereof [this house has ordered shall be reimbursed by the] said Countyes.

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Journal.

[Signed pr. Order, Henry] Denton Clk Assembly.

passed the house the first reading.

& Councill by M^r Hawkins M^r M^r this
house to the Gou^rno^r and in the Address drawne vp
Maj in the brought Coll which
was read as follows Viz^t

his Ex^{ncy} in Assembly May 20th 1692.

The Sev^{eral} Bills] herewith sent, viz: The Act of Recognition &c The Act ag^t hog[stealers] &c: The Act for preservation of the severall harbours, &c^a

The Act for Inrolm^t of Convayances &c: The Act for makeing high wayes &c^a The Act for takeing away Error^s &c. and the Act for Limitation &c: haue been here read & Considered by the board whose opinion therein they think fitt to Signifie to the house as foll, viz^t As to the Act of Recognition &c: they conceiue it necessary that the preamble thereof were better Excluded, and the Recognizeing part onely taken notice off according to the president & Examples of England and our Neighbouring Collonies, that the same may appeare to proceed from Us freely without any Sinnister end or Condition of covenant induceing therevnto. The Act ag^t hogstealers particularises noe penalties to be inflicted vpon the Offend^{rs} for breach thereof but refers to former Acts, which seemes to this board to be altogether insignificant, All the Lawes of this Province in generall formerly made being now abolished and of noe force also for the better & more easie discouery of Criminalls in that & other matters of Like import Viz^t In all cases of petty Larcenys & Stealing of provisions or other goods it were convenient that the Onus probandi lye vpon the party charged & in whose Custody any such may be found that in Case he or she cannot Sufficiently proove & make appeare when where and how they came by the same it shall be a Sufficient conviction of the Crime, and the punishm^t to be better considered off, and reduced to fine servitude, or otherwise as shall be thought fitt and more agreeable to the Lawes of England. In the Act of Inrolm^t of Conveyances &c: there is a certaine fee granted to the Clk: which (as in all other Acts now to be drawne) This board desires may be waved by the house, as a Matter wholly vested by their Maj^{ties} in the Gouerno^r with advice of his Councill. To the Act for

Original Journal. making high wayes &c It is desired & thought necessary that a Clause be added therevnto Impowering the Com̃iss^{rs} of every County Court to direct & appoint what road & paths, & how & in what manner to be amended & repaired, as they in their discretion shall think fitt. And Generally The house is desired & advised to rend^r all their Lawes indefinite as a matter pticularly reco^mended to his Ex^{ncy} by their Maj^{ties} in their Instructions to him.

With these amendm^{ts} and regulations this board is willing to Concur with the house in passing the sd Bills, & desire to Conferr with them, concerning these and the rest of the bills now before them

Signed p Ord^r

John LLewellin Clk.

Message to the Govern^r & Councill drawne

By the house .

This house does desire that [your Exc^y will be pleased to appoint] Munday Next for the Conference Men[tioned in your last Message hither at which] time they will be ready [to attend the same.]

The said message	and say they deliuered the
Ordered by the house	Brookes, M ^r M ^r Boothby
& M ^r	
Message from the	& Coll ^o Browne,

By his Ex^{ncy} the [Governor & Council May the 21st] 1692

Monday next is ap[ointed for the Conference, and the House is] desired to Attend his Ex^{ncy} & this [Board in the Council Chamber at] Eleaven a Clock in the forenoon of [the same day].

Signed [p^r order]

John LLewellin Clk.

By his Ex^{ncy} the Gouverno^r & Councill May 1692.

These following Bills Viz^t for secureing merchants & others Tobacco prohibbiting Arreastes on the Sabbath dayes &c: Declareing what shall be done by the Sherriffe ex officio Concerning the height of ffences, against Burners of ffences, Relateing to the Seisure of Tobaccoes by the Sherriffe, Concerning Negroes & Slaues, and Restraining the Unreasonable in Crease of Horses &c: haue all been once read here.

As to the Act concerning Negroes, itt is the Opinion of this Board that the imposeing Slauery on the Children seems too severe, and rather propose the Limitting their time of Servitude to Thirty one yeares as formerly.

The rest of the aforesaid Bills (except that for restraining

the increase of Horses (which is referred to the conference) are herewith remitted to the house without alteration. Original
Journal.

Signed p ord^r John LLewellin Clk

These following Acts read &c:

An Act for secureing merchants & others tobacco after they haue received it, read & passed the house the second reading.

An Act relateing to the seisure of Tobacco by the Sherriffe, read and passed the house the second reading.

An Act declareing what business shall be done by the Sherriffe ex officio, read & passed the house the second reading.

An Act concerning the hight of ffences read & passed the house the second reading

An Act ag^t Burners of ffences, read & passed the house the second reading.

An Act prohibiting Arreasts on the Sabath dayes and Dayes of Generall Muster or Training read & passed the house the second reading.

An Act for makeing high wayes & makeing the heads of Riuers Creekes branches or Swamps passable for horse & foot, read & passed the house the second reading.

An Act for the preservation of the Severall Harbours within this Province, read & passed the house the third reading.

An Act [against Hogstealers] & marking of Hoggs, read & passed the house the second

An Act for [limitation of certain actions, and] for avoideing Suites att Lawe

M^r Boothby to the Gouverno^r &
Nine of the Clock.

were absent these following

by M^r Dent, and or

An Act and passed the house the 1^t reading

An Act [imposing a penalty on all such] who shall dispose of Tobacco Seized & re[ceived by] the Sher[iff, read] & passed the house the first reading.

An Act [for A]merciaments in the [Provincial] & County Courts, read and passed the house the first reading.

An Act for punishm^t of certaine offences co^mmitted ag^t the peace &c^a read & ordered that the Statute of perjury be drawne in the roome thereof.

Voted by the house Nemine contradicente, that it is the Undoubted Right of the ffreemen of this Province not to haue any ffees imposed vpon them but by the Consent of the ffreemen in the Gen^l Assembly.

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Journal.

Mr Speaker with the rest of the Members of the house appointed goe vp to the Councill Chamber vpon the Conference appointed Saturday Last, where they were admitted.

Mr Speaker acquaints his Ex^{ncy} that he was appointed by the house with severall other Gentlemen to attend their Hono^{rs} to giue them Sattisfaction in Relation to the Message sent them on Saturday, and as to the greatest part of the said Message he was ready to Complye with their Hono^{rs} therein, but as to that part relateing to Officers ffees, the house had giuen him in Charge to acquaint their Hono^{rs} that they had fully searcht into that Matter, and vnderstanding all things pertinent to that question haue Unanimosly declared that it is the Undovbted Right of the ffreemen of this Province, that noe Officers ffees ought to be imposed vpon them but by the Consent of the Representatives in an Assembly, and that this Liberty was Established & ascertained by severall Acts of Parliam^t the Authority of which is soe great as to receiue noe answer, but by repeale of the said Statutes; & produced the same with severall other Authorities to which the Gouverno^{rs} Answer was: that his instructions from his Maj^{ties} was to lessen & moderate the Exorbitancy of them, and not to Settle them, to which Mr Speaker Replyed that they were thankfull to his Maj^{tie} for the same, but withall did desire that noe ffees might be Lessen'd or advanced, but by the Consent of the Assembly to which the Gouverno^r agreed.

As to the Makeing the Lawes perpe that board, that they were ready as it might be agreeable to the being in its infancy & the often altering of the

His Ex^{ncy} presents to Mr Courtney all reco-
mends the pre Masters towards their this house
for some abuse received

Mr Wynne Mooues the Lawes and it was agreed
King and Queens most

The Act about the his Ex^{ncy} to be read which
Councill.

His Ex^{ncy} thinks it Nec should be agreed vpon for the
Cutting [of horses] the which was Ex^{ncy} to appoint.

Then Likewise it was agreed & Consented to that all ffines & fforfeitures to the King should be Leavyed by way of Execution.

The aforesaid conference being ended, Mr Speaker with the rest of the members returne to the State house, & Take their places.

The generall thanks of the house is Voted to be giuen Mr Speaker for his prudent Managem^t of the aforesaid Conference before the Gouverno^r & Councill this day.

An Act concerning Negroes and Slaues, read the Second time, and putt to the Vote whether in the Act for Negroes and Slaves, a Clause should be added for the Releife of Slaues ag^t the severity of their Masters, in Case of Dismembering, or that the same be drawne vp in a Law by it Self, and Carried by the Majority of Voices that a Clause be added to the said Act in that behalfe.

Original
Journal.

Message from the Gouvernor & Councill brought by Coll Hutchings & Coll Browne which was read as follows Viz^t

By the Gouverno^r & Councill in Assembly May 23th 1692.

With the Severall Bills herewith sent, This board recommend to the house the severall amendm^{ts} or alterations treated off at the Conference, particularly in the Acts for hogstealers & that for the speedy bringing to tryall & Suppressing Criminalls &c. the party with whom the thing stolen shall be found may be obliged to prooue how when & where he or shee came by the same and for want of such proove to be Convicted &c: The Act for p^rservation of the harbours &c^a the obliteration in the terminatiue part rendring it deficient & imperfect ought to be amended but more necessarily & reasonably totally Excluded in this as in other Acts to be passed this Sessions for the good & benefitt of the Countrey. In the Act for marking high wayes &c^c a Clause to be added imposeing a penalty on the Surveyo^{rs} as well as on the Com[missioners for] their Neglect, A Law to be made restraineing the [barbarous and inhuman usage] of Negroes & Slaues by their Mast^{rs} in this Countrey, The time for [cutting horses to be in six weeks after] taken vp & their Stature [to be adjudged by the next magistrate, a] Law to be provided for [securing their Majestys dues, fines, forfeitures] &c. what other amendm^{ts} [were treated of or shall be thought necessary] The house is desired to [consider of and proceed accordingly]

p Ord^r

[John] LLewellin Clk.

The in the severall bills follow

house the Third reading.

An [Act for payment of fees due from] Criminalls &c. Read the 2^d time.

An [Act for restraining the unreasonable increase of] horses read the second time.

The sent by m^r Wynne.

An Act [relating] to [the seizure of Tobacco] by the Sherriffe, read the third time.

An Act the read the third time.

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An Act [for] enrollm^t of Convey[ances] secureing the Estates of purchasers read 2^d & 3^d time

An Act for [securing] Merchants & other Tobacco after they haue received it read the 3^d time.

An Act for Limitation of Certaine [actions] for avoiding Suites att Law read the third time.

An Act prohibiting Arrests vpon Sabath dayes & days of gen^l Must^r or Training read the 3^d time

An Act prohibiting Commission^{rs}, Sffes, Dep^{ty} Sffes, Clks & Dep^{ty} Clks to plead as Attorneys in the respective Counties read & passed the house the first reading.

An Act prohibiting Trade with the Indians for any fflesh dead or alive excepting Deere or wilde fowles, read and passed the house the first reading.

An Act appointing Coron^{rs} in each County read & passed the house the first reading.

An Act for makeing high wayes & makeing the heads of Rivers, Creekes, Branchs or Swamps passable for horse and ffoot, read the third time.

An Act for Regulateing Ordinary Keepers & Limitting the Number of them within this Province, read & passed the house the first reading.

The aforesaid Bills were sent to the Gouverno^r & Councill by M^r Boothby & M^r King.

Severall Bills brought into the house by M^r Dent & ordered to be read, Viz^t

An Act provideing what shall be good Evidence to proue fforraigne Debts, read and passed the first reading.

An Act for publishing of the Laws, read & passed the house the first reading.

An Act for Encouragm^t of such persons as will vndertake to build Water Mills, read and passed the house the first reading.

The same were sent to the Gouverno^r & Councill by M^r Boothby.

Comitte of Acc^{ts} appointed & ordered to goe forth, which were as follows, Viz^t

M ^r Mason	M ^r Pinder	}
M ^r Hamond	Maj ^r Tripp	
M ^r Harris	Cap ^t Whittington	

The house Adjournes till seaven of the Clock.

The house again Mett and present as before.

Message from the Gouverno^r and Councill with Severall bills brought into the house.

By his Ex^{ncy} the Gouverno^r & Councill in Assembly May 23th 1692.

This Board according to the request of [the house have sent them the] Severall Bills before them some few onely [reserved for further consideration], Act ag^t Hoggsteal^{rs} is not provided for as to [the point of proof, as was agreed on. It is desired that either] in this or that other [Act for the more speedy bringing to trial of Criminals &c] that defect may be suppl[ied. In the Act for appointment of Certain officers there] ought to be provision [made for persons of tender consciences in some points] as the Act of Parliam[ent directs that it may not be repugnant thereunto.]

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Journal.

All or most of the [Bills ought to be indefinite, only such as are of] themselves of a meere [temporary nature being made such, and with] the aforegoeing ame[ndments, alterations, or additions with what also was discour]sed off at the Co[nference, this Board, (if the house pass them into Acts) will] Concurr therewith.

Ordered a Message which was read as follo

By [the house of Assembly, May 23^d 1692]

This house has appointed [a Committee to inspect and regulate all pub]lick acc^{ts}, and haue thought fitt to Signifye [to] your Hon[ors to the] End your Hono^{rs} may (if you think it [necessary) send two of the gentlemen of that Board] to joyne with the said Co[m]mittee.

Signed p Ord^r Hen Denton Clk Assembly.

The aforementioned Bills brought into the house as afo^rded to be read, Viz^t

An Act for Amercem^{ts} in the Provincia^ll & County Courts read & passed the house the second reading.

Putt to the Vote whether the said Act shall stand for Tenn yeares or three yeares and Carried by the Majority of Voices to remaine for three yeares Onely.

An Act concerning proceedings at Law, read & passed the house the second reading

An Act imposeing a penalty on all such who shall dispose of Tobacco Seized or received by the Sffe and others, read and passed the house the second time.

An Act appointting Corron^{rs} in each respectiue County read & passed the 2^d reading.

An Act prohibiting Co[m]mission^{rs} Sherriffs Dep^{ty} Sffes & Clks &c: to plead as Attorneys &c: read and passed the second time.

An Act prohibiting trade with the Indians for any flesh dead or alive Excepting Deere or Wilde fowle, read and passed the house the second reading.

Original Journal. An Act for Enrollm^{ts} of Conveyances &c: read the third time and sent to Engross
The house adjournes till to Morrow Morning Nine of the Clock.

Tuesday May 24th 1692.

The house againe Mett & were called ouer, and were absent these following Members Viz^t

Mr Mitchell	} & Co ^m mittee of Acco ^{ts}
Maj ^r Smallwood	
Mr Ashman	
Mr Hoskins	
Mr Smith	

Then was read what was done Yesterday.

Severall Bills brought into the house by Mr Dent & were ordered to be read Viz^t

An Act empowering the Comission^{rs} of the County Courts to Leavye & raise Moneys to defray the Necessary Charges of their Countyes, read & passed the house the first reading

An Act prohibiting M^{rs} of Shippes from transporting any out of this Province without passes, read and passed the house the first reading.

Coll. Darnall makes his appearance here according to former Ord^r of this house

Mr Sp him with the reason of his being sent for Viz^t
That the Moyety of the 2^d p hhd belonging to the
Coun and for their better information business,
to know the yearly not denye the house answered
that he to their Ord^r but as to pervseall he Could
not each of Trust in him that it was a Concerne
wished him to Consider of

An putt to the Vote whether of Carried by the
Majority ho done and passed the
Mr

An Act read and passed the house the first

An Act [concerning what shall be allowed to the] Grand Juryes that are Su^moned out of the [body of the Province to attend] Provincia^ll Courts read & passed the house the first reading.

An Act Concerning those Servants that haue Bastards read & passed the house the first reading.

An Act for Killing of Wolves read and passed the house the first reading.

An Act for payment of ffees due from Criminall p^{so}ns read & passed the first reading.

An Act for Naturalization of John Oldson & Mathias Vanderheyden read and passed the first time.

Maj^r Smallwood Enters the house.

An Act for the more Speedy bringing to tryall and Suppressing Criminalls &c: read the third time.

Original
Journal.

The aforementioned Bills were sent to the Gouverno^r & Councill by M^r Wynne and Maj^r Caruell

Message from the Gouvernor and Councill brought by Coll Hutchings which was read as follows, Viz^t

By his Ex^{ncy} The Governor & Councill in Assembly May 24, 1692.

By reason of the absence of some of the members of this Board vpon vrgent occasions permitted to goe home they cannot spare any more to joyne in Committee with those of the house appointed to inspect the publick Acco^{ts} with out breaking their Quorum; The house therefore is desired to suspend the proceedings of the said Committee till to morrow, by which time it is hoped the Absent Members may returne.

Signed p Ord^r John LLeuellin Clk.

An Act for quietting possessions read & passed the house the first reading.

Upon a Petition made to this house by Jonathan Clarke & James Baker for the Continuance of their Places of Dore keepers itt is ordered by the house that the said James Baker & Jonathan Clarke being persons aged and debilitated from their worke shall continue the same, according to their request, dureing life, vpon Condition they behaue themselves well therein.

Message from the Co^mitte of Acc^{ts} relateing to some Acc^{ts} putt in Certain Prison^{rs} Accomadation, being to the said Co^mitte.

The

Petition of Thomas Gr Viz^t

To his Ex^{ncy}

The Humble Peti Humbly Sheweth
That in Virginia the Carpenter and
office & Navall vpon Tobacco by any cretaries
by any Ship for Ru^me

That y^r Hono^{rs} would of the Trade of this Country)
to the Act of tion according to the booke of
Rates or the Lawes of Altercōn is the scope of this Petition.

And yo^r Pet^r shall ever pray &c^a

The Answer to which given was thus Viz^t

Original
Journal.

Itt is thought fitt by this house that Encouragem^t should be given to Shipps built in the Countrey but the Method pursuant thereto, they leave to his Ex^{ncy} & Councill to prescribe.

An Act for the publication of Marriages, read and passed the house the first reading.

An Act for the Constables takeing the List of Taxables read & passed the house the first reading.

An Act for appointm^t of Certaine officers read & passed the house the 1st reading.

An Act for the Easem^t of the Inhabitants of this Province in Suites att Lawe for small Debts read & passed the house the first reading.

The aforesaid Bills together with the Bill for quietting possessions sent to the Gouvernor and Councill by M^r Clarke & M^r Dorsey.

Message from the Gouverno^r & Councill brought by Coll Jowles & Coll Browne which was read as follows, Viz^t

By his Exncy the Gouvern^r & Councill in Assembly May
24th 1692.

Whereas in the time of Gouverno^r Notley (amongst other Acts then passed) severall private bills in favour of severall Alien Inhabitants of this Province for their Naturalization & for which they duely payd & Sattisfyed their fees & Charges accruing were afterwards by the Lord Baltemore vnadvisedly by mistake or otherwise dissented to, annulled & made void, and the parties thereby deprived of the Benefitt thereof Notwithstanding their great Charges & Expences therein. This Board thinks fitt to recommend the same to the Consideration of the house in giueing releife to the psons Concerned by passing a New Act this Session for that purpose.

In [the Act concerning] those Servants that haue Bastards the imposition of [marriage seems to this Board too] Seveere and vnreasonable and [therefore instead thereof they do] propose the obleidging the [party to indemnify and save harmless the] County from charge &c^a [as in the said Act is specified.]

[The Allowance made for the Grand Jurors this] board doe think it more [proper to be ordered and paid to the Sheriff of] S^t Maryes County [obliging him to take care for their accommodation] and be accomptable [to them for the same, rather than] Leave them to the managm^t [of an ordinary keeper to be treated as he shall] think fitt.

[The Act against divulgiers of false news being of great] import & concernm^t to [the peace of the Province, this Board conceives] it not strict & full [enough to prevent the incon-

venience arising] from the breach thereof [and therefore desire
the house to take the same again] into Consideration

Original
Journal.

[Signed p^r order]

[John] LLewellin Clk

by the sd Gentlemen, Viz^t

An Act read & passed 2^d time.

An Act [for stay of Executions after April in the County]
Courts read 2^d time & passed.

An Act [for the encouragement of such] as will Undertake
& build Water Mills, read & passed the house the second
reading.

An Act for killing Wolves, read the second time & passed.

An Act for Naturalization of John Ouldson & Mathias Uan-
derheyden read the second time & passed.

An Act for publishing of the Laws read the second time
& passed.

An Act p^rvideing w^t shall be good Evidence to prove
fforraigne Debts, read and passed the second reading.

An Act for Encourageing the importing of Negroes, read &
passd the second time.

An Act empowering the Co^mmiss^{rs} of the County Courts to
Leavy & raise Moneys to defray the Necessary Charges of
their Countyes, read & passed the second reading.

An Act prohibiting M^{rs} of Shippes from transporting any out
of this Province without passes read & passed the Second
reading.

Petition of Coll Darnall to the Gouverno^r & Council sent
downe by M^r Wynne from his Ex^{ncie} for the advice of this house
&c: the which was ordered to be read; the purport whereof
was, that his Ex^{ncy} would be pleased to grant his order to all
ps^{ns} concern'd, that he might be permitted to Receiue all his
Lordshpps Dues and Duties with in this Province &c: accord-
ing to his Maj^{ties} ord^r of the 12th of Nouember Last, as Like-
wise take possession of his Lordshipps houses & Plantations
of Mattapany and Nottley hall, and all other his Lordshipps
houses & Plantations whatsoever within this Province &c^a An
Answer to which was referred by this house till the Next
Morning.

An Act concerning what shall be allowed Grand Juries that
are Su^moned out of the Body of this Province to serue att
Provinciall Courts read & passed the 2^d time.

The aforesd Bills were sent to the Gouvern^t & Council by
m^r Boothby & m^r Hoskins.

Message from the Gouvern^r and Council brought by Coll
Browne read as follows, Viz^t

Original
Journal.

By his Ex^{ncie} the Gouvern^r & Council in Assembly
May 24th 1692.

This Board think fitt to putt [the house in mind of preparing a] bill for the releife of Negroes & Slaues [from the barbarous and inhuman] vseage of their unreasonable Masters [&^c too frequently practised in this Province. Re]comended to them by his [Excellency yesterday at the Conference and particularly] think it but just and [reasonable that the malotta girl of Thomas Courtneys,] born of an Engli[sh woman and a Christian, having both her ears] cropt close to [her head by the hands of her tyrannical master and] mistress, be forth[with manumitted and set free, the least recompense that] can be bestowed on [her for so barbarous a cruelty, and that a clause] for that purpose [be inserted in the said Bill]

[Signed per Order, John Llewelin] Clk.

An Act relateing [to the seizure of Tobacco by the Sheriff]
An Act for the

An Act for Constables [taking a list of Taxables].

An Act for quietting [Possessions]

An Act for Easem^t of [the inhabitants of this Province in suits of] Lawe for small Debts, read and passed

Voted whether the Malatta shall be manumitted or noe, for the abuse receiued from her said M^r and Carried by the Majority of Voices to be sett free.

Severall Bills brought from the Gouverno^r & Council by Cap^t Courts, which were sent to be Engrossed.

An Act for Appeales & regulateing Writts of Error, read and Voted wheth^r the same shall be Limitted to a certaine sume or noe, and Carryed in the Affirmatiue, that noe appeales shall be brought vnder the Sume of 1200 ^{1^{to}b} the which was ordered to be incerted.

An Act for secureing Credito^{rs} read & passed the first Reading.

An Act ag^t importation of Convicted ffellons into this Province, read & passed the 1^t reading

An Act concerning Negroes & Slaves, read & passed the third reading.

All the afd Bills were sent to the Gouvern^r & Council by M^r Wynne

The house Adjournes till to Morrow Morning Nine of the Clock.

Wednesday May 25th 1692.

Original
Journal.

The house againe Mett and were absent these following
Members Viz^t

Mr Ashman }
Mr Smith }
Mr Bigger } & Comittee of Acco^{ts}

Then was read what was done Yesterday.

Severall Bills brought in by Mr Dent & ordered to be read,
Viz^t

An Act for appointm^t of Certain Officers, read & passed
the 2^d reading wth amendm^t

An Act for Limitation of Officers ffees read & passed the
first reading.

An Act for Limitting of County Clks ffees wthin this
Province read & passed the first reading.

An Act for the better administracōn of Justice in the County
Courts read & passed the 1^t reading.

An Act preventing vexatious & vnnecessary suites at Law
&c: read & passed the 1^t reading.

An Act for keeping a Register of Births Marriages &
Burialls; read & passed 1^t reading.

An Act ascertaining w^t shall be allowed vpon protested bills
of Exchange read & passed 1^t time

An Act ag^t Engrosers & Reqraters, read & passed the first
reading.

An Act for the due recording all the Lawes of this Province,
in the Series office read and passed the house the first reading.

An [Act restraining the] Exportation of Leath^r &c. read &
passed the first reading.

An Act [for Appeals and regulating writs of] Erro^r read
with the Clause incerted & passed

by Mr Wynne & Mr Hoskins

for them to Continue two Yeares from the
Comission^{rs} of the

accordingly appeare.

the returne of Severall bills be read, Viz^t

An the third reading.

An reading.

reaading.

[An Act for the easement of the inhabitants of this Prov-
ince] in suits att Lawe for small [debts &c.] Read & passed
the Second

An Act [for Constables taking list of] Taxables read &
passed the third reading.

The afore Engrossed.

Original
Journal.

An Act for Encouragem^t of Tillage & raiseing provisions for Advancem^t of Trade within this Province read & passed the first reading.

Coll Darnalls Petition to the Governo^r & Councill ordered to be againe read, wherevpon it was thought fitt by the house that the said Coll Darnall should be sent for to to this house his Maj^{ties} ord^r &c: vpon which his said petition is granted; as Likewise to demand of him a Second time the Bookes of Entries, for his Maj^{ties} Service for the pervseall of this house.

Ordered that one of the Dorekeepers goe in to Towne, and acquaint him that the house wants to Speake with him.

The said Coll Darnall after some short space of time makes his appearance here accordingly.

M^r Speaker informes him that he had, by order of the house againe sent for him about those Bookes of Entries, which were desired of him yesterday, and that they now wanted to know his Resolution therein, imagining he might haue better Considered of it since yesterday.

But his Answer thereto still was that he could not Complye with the houses desire in that request, by reason of the trust reposed in him by his Lordshipp in all those Matters & Concerns, the communicateing of which he Looked vpon itt, would be a breach of the same.

M^r Speaker replied that they had noe designe to harme his Lordshipp any wayes in the matter, but onely to Sattisfy themselves in the yearly income of the Imposition Money, that they may the better know how to settle th^t part belonging to the Countrey, for the Support of the Gouvernm^t & with all Tells him that it is but a Civill Request, and for his Maj^{ties} Service, and therefore he must not take it amiss; if some further Methods be taken therein.

He is demanded to produce the Kings ord^r mentioned in his Petition;

He makes answer that he Left the Originall with the Comitte^e that were sitting at Petuxant att his Arrivall, but produces a paper which he sayes is a True Coppy thereof, which was ordered to be read, the maine purport whereof was, that he might be permitted peaceably to Collect his L^dspps dues &c: ariseing herewith in this Province.

The said Coll Darnall is bid to withdraw house
Itt is debated in the house by the house Nemine Con-
tradicente, to produce the aforesaid pervseall of
this Contempt &c:

He is again sent

M^r Speaker does aga Bookes of Entries and with
acquaint him, that vpon prest in that Case, he

be soe disobleidgeing to att Armes, for the
to Mr Wynne inform the Gouverno^r & Co downe
to this house Answered thereto, to euery part
which the said Coll Darnall desired

Original
Journal.

Voted that its the Undoubted all persons to attend
this house, with their Publick bookes of Entries & other papers
of publick accounts, whereby to be satisfyed what publick
Revenues haue of Late belonged to the Crowne for the Sup-
port of the Governm^t of this Province.

Voted that Coll Darnall being Employed as a gen^l Agent
to Collect great part of the publick Revenues of this Province,
being required to produce his Bookes & papers of Entries
thereto belonging for their pervseall, for their Maj^{ties} Service,
yett refused to doe itt though he Confessed the haueing of
them in his Custody.

Voted that this is a Violation of the Undoubted Rights &
privilidges of this house.

Voted that Coll Darnall for such his Contempt be taken into
the Custody of the Serjeant at Armes attending this house.

Voted that the 14^d p Tonn belongs to the Crowne for the
Support of the Governm^t as it was first intended as Likewise
all fines and Amercem^{ts} yett notwithstanding till his Maj^{ties}
pleasure is knowne they will giue all due obedience there-
vnto.

Itt is the Opinion of the house that all publick records, Bills,
and Bonds, remaine in the Office where they are.

As for Waifes & Strayes in the Petition mentioned, they
will be perticulerly considered off to Morrow.

Ordered that a Warrant issue to apprehend the said Coll
Darnall for his Contempt aforesaid.

By the house of Assembly May 25th 1692.

Whereas Coll Darnall pursuant to an Ord^r of this house
to appeare with his Bookes of Entries demanded of him to be
pervsed for his Maj^{ties} Service did make his appearance here,
but obstinately refused to produce the sd Bookes, itt is there-
fore ordered that the Officer attending this house in the Nature
of a Serjeant att Armes, doe immediately take into his Custody
the body of the said Coll Darnall for the Contempt aforesaid

Signed Kenelm Cheseldyn Speaker

Cap^t passed that pass
The Enna
The

Then was what erday.

Original
Journal.

Mr Brookes Comes from the Gouvernor and Councill
severall Bills passed that board, & are as hereafter

Mr Dent & Mr Clarke sent to the Gouverno^r & Councill to
giue them Sattisfaction in a certaine Bill now sent hither
relateing to Negroes & Slaues &c^a as to some Clauses therein
Specified.

They Carried likewise with them a bill for Election of Mem-
bers to Serve in the Gen^l Assembly, haueing receiued one
Reading & passed yesterday.

An Act preventing vexatious & vnnecessary Suites att Law
&c: read and passed the second time

An Act for Recording the Journall of the house of Assembly
read & passed the second time.

An Act for Encouragem^t of Tillage &c: read & passed the
second reading.

An Act ag^t Excessiue Vsury, read & passed the Second
reading.

An Act appointing Court dayes in each respectiue County
within this Province read and passed the Second time.

An Act Limiting the Extent of Attachm^{ts} & provideing
what shall be Leavyed on Attachm^t & Executions read &
passed the second reading.

The aforesaid Bills were sent to be Engrossed.

In the Act relateing to Servants and Slaues itt is the
Opinion of the house that if the goods bartered for, Exceed
1000^{lb tob} the party agrieved, besides the ffine in that Act
allowed may bring his Action for Damages.

That Servants Comeing into this Province, whether by
Indenture or oth^rwise, theire Service shall comence from the
Shipp's first Anchoring in the Province.

Mr Dent and Mr Clarke returne from the Councill board
with the aforementioned Bill and doe say that every particular
therein is Complied with, Except the Enslaueing the Woman
dureing life, the which that board desires may be mitigated to
Seaven Years Servitude onely, and was soe done accordingly.

shall make that the Clause

ascertained next

ing.

reading.

Reading and assed 2^d reading.

Negroes & Slaues, read & passed the 3^d time wth the
amendm^t desired.

An Act restraining the vnreasonable encrease of horses
in this Province read & passed the time, with the Clause
incerted as desired.

The aforesaid Bills were sent to be Engrossed.

An Act for Election of Sherriffs, read & passed the first reading. Original Journal.

The same together with two other Bills in which the Gouern^r & Councill wanted the Satisfaction of haueing some particulars therein Cleared, were sent by M^r Wynn & M^r Boothby, with the Instructions of the house to that intent.

The House Adjournes till to Morrow Morning Nine of the Clock.

ffriday May 27th 1692.

The house againe Mett & were Called ouer, & were Absent these following Memb^{rs} Viz^t

M^r Biggers }
M^r Ashman }
M^r Smith }

Then was read ouer what was done Yesterday.

Upon Information giuen by a Member of this house that Notice was taken att the Councill Board of Coll Darnalls haueing too much Liberty giuen him after his being taken into Custody by virtue of an order hence Issued, itt was there-vpon Vnanimously Voted that the Officer in whose Custody the said Coll Darnall is, confine him close to some private convenient roome, & not suffer him hereafter to goe any way or att Large.

The said ord^r accordingly was drawne vp and read, & deliuered to the s^d officer.

Information likewise giuen by a member of this house ag^t some persons (Irish Men) that were Singing last night a Treasonable Song, publickly in the hearing of some members of this house, whose names giuen in were as follows Viz^t Arthur Delahay, Hugh Hamleton, & Robert Cooper, as Likewise James Cannon & James Cambell, Evidences ag^t the s^d persons. and that the afore Ham in Co of

An said person fact a

Coll Browne comes from the Councill board with the Returne of several Bills there passed Viz^t

An Act ag^t the Exportation of Wool & old Iron, read & passed the second reading

An Additionall Act for Regulateing Ordinaryes read & passed the 2^d Reading.

An Act for preservation of Orphans reall Estates read & passed the 2^d Reading.

An Act Touching Coopers & the Gage of Tob. hhds read & passed the second Reading.

Original
Journal.

An Act for Regulateing Ordinary keepers & Limiting the Number of them within this Province, read and passed the second reading.

An Act for Election of Sherriffs read & passed the second Reading.

An Act for the Service of Almighty God, And the Establishm^t of the Protestant Religion within this Province, ordered to be read, vpon which was reassumed a former Vote concerning the Settlem^t of an Annuall Income in each parish vpon the Ministry within the Province and Voted whether it should be done by the Assesm^t of fforty or 20^{lb tob} p poll, and Carryed by the Majority of Voices to be assessed by a Taxe of fforty pounds of Tobacco p poll vpon the Taxeables of each parish.

Voted & ordered that what Lawes are behinde hand to read, be dispatched to day and that to morrow be sett a side for Settling the support for the Gouvernm^t

An Act for secureing rights read & passed the first time wth Amendm^{ts} and Additions and ordered, to be read again to Morrow.

An Act for Advancem^{ts} of Coynes read & passed the first reading.

Opinion of the house in Answere to the Severall particulars Contained in Coll Darnalls Petition drawne vp and read, and sent to the Gouvern^r and Councill as desired, by M^r Wynne.

The aforementioned Bills likewise att the same time sent by the said M^r Wynne.

The Co^mittee of acc^{ts} goe out vpon their Charge.

Message to the Gouvern^r ordrd to be drawne vp and Read w^{ch} was as follows Viz^t

[By the House of Assembly May the 27th 1692

This House does desire your Excellency will be pleased to impart] the Opinion [of this House in relation to Coll Darnall's petition to the] said Coll Darnall [according to his demands, which they do imagine may be a meanes] to [incite him to produce what further instructions he has from his Lordship as likewise the books of entries

signed per Order Henry Denton Cl. Assembly.]

Grand jurys uernm^t more.
&c:

to allow

Enter the being Elected for Cæcill County,
as appeares by Indenture vnder the hands and Seales of the Sherriffes & ffreemen of that County of their being soe chosen & Elected as aforesaid.

Ordered that a Note be giuen them in Ord^r to be sent to the Councill Board to be sworne.

The same was drawne vp & read, which was as follows Viz^t Original Journal.

By the house of Assembly May 27th 1692.

The house haueing now received M^r James Wrouth, M^r Thomas Theakston & M^r Rob^t Crooke Burgesses Elected to serve for Cæcill County in the Roome of Coll Codd: M^r Warner & M^r Dare, as appeares by Indenture (out of his Maj^{ties} high Court of Chancery hither remitted) vnder the hands & Seales of the Sherriffe & Severall freemen of that County, doe therefore send them to your Hono^{rs} in ord^r to be sworne.

Signed p Ord^r

Hen Denton Clk Assembly.

Doct^r Brookes is sent, along wth the afd Gentlemen, wth the s^d Message.

An Act for the better Administration of Justice in probat of Wills & granting Adm^{rcons} Recovery of Legacies & secureing filiall portions read and passed the first reading.

An Act for Settling of a Standard with English Weights & Measures in each respectiue County wthin this Province, read & passed the 1^t reading.

An Act for the Ord^{ing} & Regulateing of the Militia of this Province & for the better security & defence thereof read & passed the first reading.

An Act ag^t Divulgers of false News read & passed the first reading.

The sd Bills were sent to the Councill Board by M^r Mittchell & M^r Ennalls.

They returne & say they delivered the same.

Doct^r Brookes Returnes & sayes he sawe the Oathes of Allegiance & Abhorrence giuen to the aforname M^r Wrouth M^r Theakston & M^r Crook att the Councill board, whoe afterwards took their places in the house.

M^r B that

An Act for for

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The this Answere

The Adjournes Morning

Satvrday May 28th 1692.

The house againe mett and were Called ouer & were Absent these following Memb^{rs} Viz^t

M^r Bigger }
M^r Ashman }
M^r Smith }

Original
Journal.

An Act for Limitation of County Clks fees, read & passed the 2^d reading & sent to be Engrossed

Ordrd that the Officer attending here send for M^r Cullens &c & that an Ord^r be drawne to the same intent, w^{ch} was accordingly done as follows, Viz^t

By the house of Assembly May 28th 1692.

Ordered that the Officer Attending this house send for M^r James Cullens to giue his Attendance here to Answere to such questions as shall be proposed to him by this house.

Signed p. Ord^r Hen Denton Clk Assembly.

The same was read & Delivered to the Officer aforementioned.

An Act for punishm^t of psons suborning of Wittnesses or Comitting Willfull and Corrupt perjury read & passed the first Reading.

The said Two Bills were sent to the Gouvern^r & Council by Cap^t Whittington.

The house dissolves themselves into a Grand Comitte, in ord^r to settle the Support for the Gouvernm^t

M^r Cheseldyne chosen Chairman of the said Comitte.

Ordered that M^r Mason & M^r Dent goe & desire Coll Blakiston for to walke downe to the house to acquainte them, if he knowes, what Imposition is now vpon Tobacco in Virginia they being now vpon debate of settleing the support for the Gouvernm^t

Coll Blakiston appeares here Accordingly.

Support of the	Additional	not.	
see	gall,	other	Two and to.
of the	comes		

M^r Addison comes from the Council Chamber with the Returne of severall Bills passed that board.

The Officer Attending this house is ordered to bring in those prisoners he has in his Custody whoe Accordingly appeares with them Viz^t Hugh Hamleton & Robert Cooper together with James Canon & James Cambell, the Evidences; but does say that Arthur Delahay in the Ord^r mentioned is Lame, and therefore could not possibly bring him.

M^r Wynne by Ord^r of M^r Speaker Examins them.

He askes them how they came to Sing that Treasonable Song, whereof they stood here accused.

They Answere that they were drunck when they did it, but with all confess their being guilty of the fact, and therefore putt themselves vpon the Mercy of the house, being sorry for such their Offence promising neuer to offend in the Like nature againe.

Mr Wynne lays home to them the haynousness of their Crime, first in being drunck and afterwards in Venting the Treasonable Song. Original Journal.

Putt to the Vote whether the said psons shall be whipped for their afd fault or pardon'd vpon their Submission & penecency, by goeing downe on their knees & begg pardon and to doe the same before the Gou^rno^r and Councill, itt being their first fact.

Carried by the Majority of Voices, to begg pardon on their knees w^{ch} they accordingly did, and the Officer ordered to Carrye them to the Councill Board to doe the same, and there vpon to be dismissed paying their ffees.

Ordered that they be bound to their good behaviour, and that Mr Mason take their Bond with security.

An [Act for the better administration] of Justice in probat of Wills & granting [Admacōns, Recovering of Legacies and] secureing of filiall Portions, read passed

&c: read & passed the the 50000^{l.tob} specified in the second reading.

Nine of the Clock.

these following Memb^{rs} Viz^t

Then was Saturday.

An Act ag^t Divulgers of false News, read & passed the third reading wth amendm^t

An Act for secureing Rights & passed the third Reading wth Amendm^{ts}

The said Bills sent to the Councill Board by Mr Dent & Mr Harris wth ord^r to Speake to the latter Bill, as to desireing his Ex^{ncyes} appointing Surveyo^{rs} in the Province &c:

Message from the Gouern^r & Councill brought by Mr Addison & Mr Brookes which was read as follows, Viz^t

By his Ex^{ncy} the Gouern^r and Councill in Assembly May 30th 1692.

The Great charge this Countrey hath been at, in building the State house, the p^rsent decays and Leaky condition thereof, rendring the same insufficient to secure and p^rserve the Records of the Province, mooues this board to recomēd to the house the Consideration of some present necessary repaires thereof, whereby the same may be putt into a Condition to secure the said Records, and fitt for holding Courts of Judicature, vntill such time as a more Convenient place for that purpose shall be thought of and agreed on, which (considering the great Expence the Province hath already to defray and discharge) this board Conceives will bear to heavy vpon them at p^rsent, neither can the same in any probability be Effectuated before the hard weather, And further more the p^rsent Necesse-

Original
Journal. sary repaires of the said house may Render the same fitt for
other publick use to prevent further Charge to the Countrey,
This board therefore desire the house duely to Consider
thereof in Makeing such provision as they shall think fitt and
Necessary.

Signed p Ord^r
John LLewellin Clk

Putt to the Vote whether the State house shall be putt in
Repaire for the present secureing of the Records or noe, and
Carried in the Negative.

An Act relateing to servants and Slaues, read & passed the
second reading wth Amendm^t

The same was sent to m^r Boothby to the Councill Board.

M^r Dent & M^r Harris returne & say they deliuered the Mes-
sage sent by them, and that Likewise they stay'd the Reading
the bill for secureing Rights &c: whereby they gaue his Ex^{ncy}
to vnderstand the defect of Surveyo^{rs} in the Province, the
which his Ex^{ncy} promised to Supplye by appointing one in
each County, whereby the Inhabitants may not be disappointed
in their Just Right.

The house Enter vpon the Debate, to what & Tobacco
noted last Saturday shall tend

Voted that the Additionall the Tenth day of Oct

Voted whether the for the Maintenance in the
Affirmatiue.

Voted if his Maj^t vse it shall be putt to.

Voted that the ttisfyed and payd yearly Re-
mainder be applyed for

Voted whether the & Carried by the Major

Comittee appointed to Impost received for the Count
report to this house about the

M^r Dent

M^r Wynne

M^r Harris

Putt to the Vote whether shall be yearely allowed the
Gouern^r or noe, and Carryed in the Negative.

Voted what vse the 4^d p Gall Impost vpon Liquo^{rs} shall be
putt to, & Carryed by the Majority of Uoices that the same
be & accrew to the benefitt & vse of the Countrey to defray
publick Charges &c^a and that a Bill be Brought in for the
same, wherein Cap^t Tasker to be incerted Treasurer for the
West^{ne} shore & Doct^r Brookes for the Easterne shore, to
Call the Navall Officers yearely to Account & Receive the
said Revenue for the vses aforesaid.

The House adjournes till to Morrow Morning Nine of the
Clock.

Tuesday May 31th 1692.

Original
Journal.

The house againe mett and were called ouer & were Absent these following Members Viz^t

Mr Greenfeild }
Mr Smith } and Com̄ittee for inspecting the disbursem^{ts}
Mr Ashman } of The Countreys Money.

Then was Read what was done Yesterday.

Putt to the Vote whether the Expences of the Justices of the County Courts shall be Limited or noe, & Carried in the Affirmatiue.

Putt to the Vote what their allowance shall be, and Carried by the Majority of Voices that each Justice shall be allowed 120^l^{to}^b a day dureing his Attendance att Court.

Mr Greenfeild Enters the house.

Mr Brookes & Cap^t Courts comes from the Councill board with the Returne of severall Bills passed that Board Viz^t

An Act ag^t Divulgers of falce News, read & passed the third reading.

An Act relateing to servants & Slaues read & passed the third Reading.

An Act &c^a returned, being read & passed the third time here before.

Putt to the Provinciall Court being neither in any place Gouern^{rs} Councill, shall be allowed att the said Court, or noe, and

here, & Endorsed thus Viz^t

1692.

The plainte of the Petition^r should to y^r Hono^{rs}
Clk Assembly.

& Mr Wattson.

Coll

psons incerted, for keeping Guar Daniell
the same Nature read

George from him in the begining of the Revolution
Cap^t petition for keeping Guards &c: read.

The Afd petitions referred house to the Consideration
of the Com̄ittee of Acc^{ts}

Message to the Gouern^r & Councill, Drawne up & Read
as follows, Viz^t

By the house of Assembly May 31th 1692.

This house being informed by Severall Members thereof, that are Com̄anded from their Service in this house, by a Com̄ission of Oyer & Terminer to them directed this house doe Complaine thereof as a breach of their priviledges, that

Original any Member thereof, sitting the same should be sent vpon
Journal. any other Service whatsoever.

Signed p Ord^r Hen Denton Clk Assembly.

The aforesaid Message was sent to the Councill board, by Maj^r Smallwood, M^r Wheeler, M^r King, M^r Mason, M^r Clarke, & M^r Jones, whoe Returne and say they delivered the said Message.

Voted whether Richard Benton shall be sent for to view the State house, in Ord^r to Repaire the places and Roomes where the Records lye or noe, and Carryed in the Affirmatiue.

A Coppy of the said Vote sent vp to the Councill Board by M^r Clarke.

The Officer attending this house ordered to send for the said Richard Benton to Attend this house to Treat wth him about the aforementioned Repaire.

M^r Clarke whoe Carryed a Coppy of the aforesaid Vote to the Councill was Ordered likewise to Enquire for these two following Bills formerly sent Thither Viz^t

The one Bill relateing to perjury and the other to the Election of Sherriffes.

The house Adjournes till to Morrow Nine of the Clock.

Wednesday June 1st 1692.

The house again Mett & were Called ouer and Mem^{brs}
Viz^t

Edward Wynne
M^r Bigger
M^r Dent
M^r Ashman
M^r Sm

M ^r Josephs Petition	Morrow: ordered	make his
appearance he		
James Browne	keeping publick Post &c	Kent
County		

By
This house has Voted ppointe Counties, and if the
with the allegations of those appeare Suf-
ficient to your Hono^{rs} to the purport of the said Petition
y^r Hono^{rs} therein

Signed p Ord^r Denton Clk Assembly.

The Same was deliuered to M^r Wheeler & M^r ffinney in
ord^r to goe and speake to the Same att the Councill Board.

An Act for the Settlem^t of an Annuall Revenue vpon their Maj^{ties} Govern^r within this Province for the time being read and passed the first time wth amendm^{ts} to be made. Original
Journal.

A Supplementary Act to the Act for Settlem^t of an Annuall Revenue vpon their Maj^{ties} Govern^r in this Province for the time being read and passed the first time with Amendem^{ts} to be made.

M^r Dent Enters the house.

Putt to the Vote whether Thirty shillings and noe more shall be Allowed for Entering & Cleareing of Shipps or noe, and Carryed in the Affirmatiue.

An Act for punishm^t of persons Suborning Wittnesses &c: read & passed the second reading and sent to be Engrossed.

Voted and ordered by the house that if M^r Lynes does not bring in his Acc^{ts} by to Morrow Night to the Co^mittee, that he shall not be Allowed the same this sessions.

A Coppy of the said Ord^r delivered to giue to the said M^r Lynes.

W^m Stimsons petition for a mare, read & Referred to the Co^mittee of Accounts.

Voted that a former Order of this house, directing a Bill to be brought in for an Allowance of 200^{lb tob} to each Burgess p diem &c: to defray their Charge and Expences att Assemblies be disanulled, and Remaine vpon the journall onely as a Vote of this House, for the said allowance to be Continued, without bringing in a bill for the same.

Voted that one out of euey County be Appointed to Come down to S^t Maryes on the first day of October next, in ord^r to Laye the publick Leavye, which was done as follows, Viz^t

ffor Robert Mason.
ffor

Henry Denton appointed
Clerk of the said Co^mittee.

ffor

ff

ffor

ffor vp County ag^t James Harper of their
Privy and abuse that Warrant should hence Issue to
here, to Answer the Complaint aforesaid was
deliuered to the Officers attending here.

The adjou Morning Nine of the Clock.

Original
Journal.

Thursday June 1692.

The house againe Mett and were Called ouer, & were
Absent these following Memb^{rs} Viz^t

M^r Bigger
M^r Ashman
M^r Smith *
M^r ffinney

Then was Read what was done Yesterday.

Somerset County Indenture returned out of their Maj^{ties}
High Court of Chancery to this house.

Ordered to be Read, wherein were Chosen (as by the sd.
Indenture, vnder the hands and Seales of the Sherriffe & ffree-
men of the said County appeares) M^r Roger Woolford M^r
John Bosman and M^r Lazarus Maddux, to Supplye the
Vacancy of M^r John Hewett, M^r Thomas Evernden & M^r John
Goddin

The said M^r Woolford, M^r Bosman & M^r Maddux Enter
the house & were ord^d to be p^rsented to the Councill by Cap^t
Whittington, to be sworne.

Voted that an Act be drawne vp for to giue power to his
Ex^{ncy} Lyonell Copley Esq^r Cap^t Gen^{ll} and Comander in Cheife
of this their Maj^{ties} Province &c^a To Naturalize all persons of
Outlandish Natiuity, that shall applye themselves to him for
the same, takeing the Usull ffees, due by Act of Assembly
for the same. Cap^t Courts comes from the Councill Chamber
wth the Returne of a Bill ag^t Devulgers of false Newes, with
an Endorsement thereon, desireing the Penalties therein incerted
may be advanced, the which was done accordingly.

The said Bill (together wth the maine Bodye of the Lawes)
were sent to the Councill Board, by M^r Dent, M^r Jones, M^r
Hawkins, M^r Wattson, M^r Dorsey, M^r Wrouth M^r Hanson &
M^r Wattkins for their Assent there.

John Littles Petition for Allo Endorsed, th^t he be
allowed 20^{lb} ^{tob} p peck for night & day & the same
ordered to

Putt to the Vote who send to each Coun of
Voices to be

Ordered that the Coll Robotham part of those
Lawes

He acquaints the house in minde of made
in this Province ralize Outlandish psons Care in
already.

Putt to the Vote whe by the publick or noe, and
Carried

An Act asserting the vinciall and County Courts,
read and

Voted if John Little whoe preferred of this House be found tarde in any one Article of his Acc^t falsely Charged, that he be allowed noe more than as the Co^mittee has now Regulated the same. Original Journal.

An Act ascertaining what Lawes are Repealed wthin this Province, read and passed the first time.

Voted by the house that the Members herevnder written be fined ffifty pds of Tobacco a peice for remaineing with out Dores, dureing the Sitting of the house, Viz^t

M ^r Wrouth	M ^r Hawkins	M ^r Crooke	}
M ^r Theakston	Maj ^r Tripp	M ^r Clarke	
M ^r Sherwood	Cap ^t Whittington	Maj ^r Camble	
M ^r Woolford	M ^r Wattkins		

Voted that M^r Wynne be likewise fined 100^{lb tob} for Absent-ing himself wthout the leave of this house.

The house reassumes a former Vote, Viz^t whether the Chancello^{rs} ffee for Transcribeing the Lawes for Each County shall be 1600 or 1200^{lb tob} and Carryed by the Majority of Voices that 1200^{lb tob} be allowed onely.

An Act for settleing of Nauall Officers ffees wthin this Prov-ince, read and passed the first time.

Cap^t Courts Comes from the Councill board with the returne of the bill ag^t Devulgers of falce News, and the same sent to be Engrossed.

An Act for an Impost of 3^d p hhd settled vpon the Gouverno^r &c: read & passed the second reading.

The aforesd four Bills sent to the Councill board by M^r Dent.

M^r Tasker Moues to haue Leave to goe home, certifieing to the house that his Wife lyes very sick, the which was granted him.

The house Adjournes till to Morrow Seaven of the Clock.

June 2^d 1692.

The house were Absent these following Memb^{rs} Viz^t

The

An [Act for the settlement of an annual Revenue upon their] Maj^{ties} Gouvern^r wthin this Province [for the time being].

Second Reading.

Voted the first of June last Lynes did not bring in his then he should not be allo and Likewise whereas he was for to bring in his Account euery

Original Journal. holely been disobedient to it is therefore and ordered
that the said M^r Lynes shall acc^{ts} till next Sessions of
Assembly for his

Upon a Motion Made by County Burgesses,
Putt to the Vote whether Somerset County shall be
excepted out of the Act for regulateing the County Comission^{rs}
Expences, and that they be allowed Eight Thousand pounds
of Tobacco p annum & noe more, or noe, and Carried in the
Affirmatiue.

M^r Wynne & M^r Dent Enter the house.

Putt to the Vote whether the Ministers shall be Allowed
3000 or 2000^{lb tob} a peice for their Attendance this Assembly,
and Carryed by the Majority of Voices to be allowed 3000^{lb}
tob. a peice.

M^r Wynne acquaints the house that he was desired by the
Gouern^r of Virg^a in his behalfe to returne thanks to this
house for the Hono^r they did him yesterday in their Visitt and
with all that he desired their Company att Coll Digges house
imediately (if their business would Suffer them to take soe
much leisure time) that he might further pay his Respects to
them, before he went out of Towne.

M^r Speaker wth the rest of the Members accordingly goe
vp, whoe aft^r some short time spent there, returne to the
house againe.

An Act of Recognition, read & passed the house the first
reading.

An Act of Naturallization, read & voted that the Govern^{rs}
ffees for the same shall be Three pounds St^l and the Clarke
for Writeing the same Tenn Shillings and Noe more.

The Comitte for Inspecting the disbursem^{ts} of the Impost
Money goe out vpon their Charge.

M^r Harper in Obedience to a former Sumons from this
house, makes his appearance.

M^r Speaker askes him how he Came to be soe bold to make
vse of that boate belonging to the Delegates of Baltemore
County wthout their privity or Consent.

He confesses that he made vse of sayes that the Men
of War staued her that he will repaire the same,
pardoned therefore

Elizabeth Bakers

Ordered that the Referred.

Doct^r Synnocks Read.

Voted whether natiue.

The said Vote giuen to M^r Mason to

Elizabeth Bak Comitte of Accounts.

The aboue mencōned Comittee for Inspecting
house with their Report which was

Att a Co^mittee appointed of the Impost of 2^d p hhd
 Rec the Revolu^cōn &c: May 30th Anno Dom. 1692

Original
Journal.

Mr Thomas Tasker }
 Mr Edward Wynne } Cap^t Hamond
 Mr William Dent } Cap^t William Whittington }

Mr Edward Wynne Appeared not.

Mr Thomas Tasker by the Co^mittee is Chosen Chairman.

Cleborne Lomax by the Co^mittee is appointed Clk.

Ordered that the Nauall Officers appointed for the severall districts within this Province for the Receiveing of the Moyety of the Impost of 2^d p hhd: for the Countreyes Use since the Revolution be Su^moned to appeare here before the Co^mittee to Morrow Morning by seaven of the Clock (Viz^t)

Cap^t Samuell Bourne for Petuxent District Maj^r King for Pokomoke District And Samuell Cooksey for Potomack district.

The Co^mittee adjournes till to to Morrow Morning at seaven of the Clock.

The Co^mittee Meetes againe the 31th May present as before. Except Mr Edward Wynne.

Maj^r King Navall Officer for Pocomoke district appeared here to render his account.

And deliuered in to this Co^mittee one Note drawne on him by Mr Rob^t Mason and Mr John Lewellin payable to Mr George Plater for 3 3^s another Note drawne by Ditto Mason & Lewellin payable to Mr Philip Clarke & Mr Henry Denton for 15^l 15^s & another Note drawne by Ditto Mason & Lewellin pay^l to Mr Gerrard Van Sweringen for 26^l for which Three notes the Co^mittee hath giuen the said King a Receipt.

Mr Sam^{ll} Cooksey Navall Officer for Potomack District appeared here to rend^r his Acc^t and rendered an Acc^t what Cap^t John Coode had receiued before his voyage to England and since the time of his being Navall Officer.

Mr John LLewellin on the behalf of Cap^t Sam^{ll} Bourne Nauall Officer for Petuxent district appeared here & rendered an Acc^t for the s^d Bournes

The Co^mittee adjournes till to Morrow Morning at Seaven of the Clock.

the 1st day of June p^rsent as before

Adjournes till the 3^d day of June present as
 before. Wynne. Chairman.

mitted to Mr Kenelm Cheseldyn bill drawne
 vpon Mr Edward John Tayler Mr Will^m Wra
 Mr Henry LLoyd & Comp^a for his bill drawne vpon
 ma to Ditto Tayler. John pay^a to Ditto Tayler
 and Mr John Smith & Comp^a for 29^l 17^s Bills

Original for the aboue said sumes of money Cheseldyne to take
Journal. some Method & Measures Recouery of the same.
ffor his of for two yeares and his trouble in his
Agency that is referred to the house.

Vpon Consideration of Coll Blakistons Acc^t it is represented to this Com̄ittee that part of the Money remains vnpaid, the bills that were deliuered being protested, the sence of this Com̄ittee is that vpon delivering the said Bills Credit ought to be giuen in the Acc^t for the same.

The Com̄ittee haueing inspected into Severall Acc^{ts} represented to them from severall psons relateing to the Impost haue stated the severall acc^{ts} thereof to which they referre the house for further Sattisfaction.

This Com̄ittee further reports that Mr Speaker vpon deliuering to this Com̄ittee his Acc^t doth affirme that in the fourth Article for his own & Servants Charges in London all Counsellis Soliciters & other Officers fees Expended in the Agency are included, soe that noe other ffees by any other pson pretended to be Expended ought to be Allowed Except some small Matter to the Value of twenty or thirty Shillings or thereabouts which he thinkes he left vnpaid and if paid by the other Ajent to be Allowed.

Signed p Ord^r

Cleborne Lomax Clk Com̄ittee

The house Unanimously approue of the Report of the said Com̄ittee.

Putt to the Vote, whether Mr Cheseldyn shall be Sattisfyed the Ballance of his Acc^t mentioned in the said Report, in Money or Tobacco, & Carried to be pd in Tobacco.

Voted what shall be allowed p Cent in Money, for the said Tobacco, & Carryed by the Majority of Voices to be allowed Seaven Shillings p Cent.

Message from the Gouvern^r and Councill brought by Mr Addison & Mr Brookes, which was Read as follows Viz^t

By his Ex^{ncy} the Gouvern^r & Councill In Assembly
June 3^d 1692.

This house haueing pervsed part [of the Body of Laws contained in eleven sheets now drawn] this Sessions haue Signified [their assent to them all but one for enrolment] of Conveyances, [for no other reason than being] made temporary, [which being of so great moment and concern to the Province] in generall this [Board desire may be indefinite.

Signed per Order, John LLewellin Clk.]

Brought Likewise wth the

Putt to the Vote & trouble in England for or Original
noe, and Carryed Journal.

Putt to the Vote Trouble. Carryed the house
Unanimously Guift.

Mr Speaker returns in soe free & willing a manner
bestow giueing the same, he as much resented

Voted and ordered by the house & interest due from
the Countrey to him being be satisfyed & paid out of
the ballance of Accounts due from Cap^t Bourne to the
Countrey.

The aforesaid Ord^r was drawne out and Deliuered vnto
Maj^r Smallwood signed by the Clk of this house.

Voted that the bill of Exchange made ouer by the Countrey
to Mr Chesledyn if the same or any part thereof should not
be receiued, the Countrey must make them good.

Coll Jowles and Mr Tench come from the Councill Board
wth the returne of Seuerall Bills & papers.

An Act for 14^d p Tonn read & passed the house the first
reading.

Ordered by the house that Mr Larkins of Ann Arrundall
County be paid 24^l 8^s 7^d from Cap^t Bourne for publick
Expences allowed him, being the full ballance of Acc^{ts} due
from the said Cap^t Bourne, to the Countrey after his dis-
chargeing a former paym^t of 22^l 8^s st^{rl} ordered to Maj^r
Smallwood.

The said Ord^r was drawne out and deliuered to Mr Hamond
for the said Larkins Use, Signed by the Clk of this house.

An Act for Naturalization, read & passed the house the
second Reading.

An Act of Recognition read and passed the second reading.

An Act for an Impost of 3^d p hhd, read & passed the 3^d
time & sent all to be Engrossed passed the third reading with
amendm^t and sent to the Councill board by Mr Dent.

An Act for Ascertaining the Expences of the Comission^{rs} of
the Provinciaall & County Courts, read & passed the second
reading.

Mr Tench Comes from the Councill board wth a Law Drawne
vp, prohibiting Trade, with the Indians, with out Lycence
from the Gouverno^r for the perusall & approbation of this
house, and the same was voted out of the house.

Morrow Morning 7 of the Clock.

these following Memb^{rs} Viz^t

The Mr some Urgency of Affaires . goe
(after the breaking vp of the house

Original Journal. Mr his appearance here & there read againe, & as to the first was told, he was presst away would be pleased to giue time and the same was referred till Mon the second Article for his ffusee, a way from Mattapany, he says that the Resi- dence, and that he was there sick, and in any hostility.

The house tells him that the Garrison being Surrendered for the King free plunder of all Armes in the said Garrison taken, were lawfully due, Mr Josephs produces the Articles of peace concluded on there, which were read but nothing of Capitulation for preserveing or keeping their Armes &c^a being therein contained, they therefore Could not be restored, as to the third Article, for Coppyes made, for the Members of Each house concerning his project for bringing in of Money, he informes the house that he did (bonâ fide) cause Thirty Two Coppyes to be written, for the which he payd the Clks 100^{lb} ^{tob} a Coppy, he is desired to with draw a while.

Voted that the said Mr Josephs be Allowed 3000^{lb} ^{tob} in Consideration of the aforementioned Coppyes, the which was Endorsed vpon the Petition & sent to the Comittee of Acc^{ts}

Mr Lynes Petition for Leave to bring in his Acc^{ts} read & referred to the Comittee of Acc^{ts}

Ordered by the house that the 100000^{lb} ^{tob} as Likewise that other sume of Tobacco allowed Mr Chesledyn yesterday for ballance of Acc^{ts} made vp, be paid him in the Countyes on the Western Shore.

Mr Dent, & Mr Wynne, acquainte the house of a Tryall to be held att the Councill Board, att which their Attendance was required, therefore prayed the leave of the house for the same, w^{ch} was granted them.

Coll Browne & Cap^t Courts come from the Councill board wth Seuerall papers they acquainte the house that the Provinciall Court was adjourned till the Last Tuseday in September.

Mr Wynne Enters the house.

Mr LLewellin Comes from the Councill board wth certain papers concerning the report made by the Comittee of Secrecy, to the Convention for the perversall & advise of this house therein, but he is told, that if the Councill, who are best knowing in the same, will be think fitt and Necessary, into some thereof

An Act Ascertainig [the Commissioners' expenses in the Provincial and County] Courts read and passed

An Act for ascer[taining what laws are repealed within this Province] read & passed the second

An Act for settle[ment of an annual revenue upon his Majestys Governor within this Province] passed the second

The said Bill Certificate of vpon his Aco^t Original
putt in for his Comitte of Acc^{ts} for the pervseall of Journal.

These are to Certi	Expences &c ^a	By Doct ^r
Moore		
By bill of Exch ^a		:00 ^d
Blakiston p ord ^r		2:08
		12:08
		Clk.

Ordered that he haue Creditt giuen him for the said two Articles in his Account Yesterday remitted to this house, the w^{ch} was accordingly done.

The house Adjournes for an hour.

The house againe Mett & were present as before.

Comitte of Acc^{ts} repaire to the house.

An Act for 14^d Tonnage, read & passed the second reading.

An Act for Repealeing the Lawes Read.

An Act for the Settleing the Moiety of the 2^s p hhd Impost.

■ The aforesaid Bills were all deliuered to M^r Speaker.

Maj^r Sewall Petitions for allowance for a Servant of his pressed away, as likewise for three horses he lost, and Consideracon for Corne & Oates Taken by the Soldjers.

Putt to the Vote whether the Servant in the aforementioned Petition shall be proceeded ag^t as a Runaway by his said Mast^r dureing his absence from him in the time of the Revolution, or noe, and Caried in the Negatiue.

Putt to the Vote whether the Remainder of the Petition shall be answe^red or Rejected, and Carryed by the Majority of Voices that it be Rejected.

Voted and ordrd by the house that M^{rs} Elizabeth Baker be allowed her Money due from the Countrey out of what Money (by intimation of the Comitte) is now in M^r LLewellins hands.

Coll Darnalls Petition for his Enlargem^t &c. read as follows Viz^t

To the Honn^{able} the house of Assembly.

The Humble Petition of Henry Darnall
of this house humbly craues p^rjudice and Damage
w^{ch} Necessity fall under by sufficient time since
• as the disorderly the house will be his
answere to yo^r Pet^r detesting assembly mett for
Concerne he would there vnto, but favour-
able as to giue y^r Pet^r does not much question but his
to giue this house all the demands.

Original Journal. That y^r house in to his Ex^{ncy} the Gouvern^r to intercede to this his Ex^{ncy} left him to his further applicacōn to the house not thinking it convenient to intermeddle with the Affairs thereof.

The p^rmises Considered as alsoe the inevitable ruine that a Confinem^t at p^rsent will bring vpon y^r Pet^r and ffamily, he humbly beggs that this honn^{orable} Assembly will be pleased either to release, or baile him vntill he can haue his Mast^{rs} answeare, or vntill such other time or vpon such tearmes as the house shall think fitt.

And He will pray.

Voted that the said Coll Darnall (vpon his Petition to this house) giueing Sattisfaction in those things formerly required of him (after his heareing out of England from his Lord shipp) according to his promise made, to this house be discharged paying his ffees.

Voted that the said Coll Darnall pay to the Officer attending this house 200^{lb tob} p diem dureing his Confinem^t

Message from the Gouvern^r & Councill brought by Coll Hutchings & Read as follows Viz^t By his Ex^{ncy} the Gouverno^r & Councill June 4th 1692.

The Act for publication of all the Lawes of this Province, this board conceiue to be a very good Law & therefore ought to be indefinite.

The act prohibiting Trade wth the Indians for ffurs &c: ought alsoe to be indefinite and the board are still of opinion, that all Lawes made in the Lord Baltemores name ought to be abrogated, and his just right & Intrest in the Province to be secured by a suitable Law to pas this sessions in their Maj^{ties} Names.

The act for Advancem^t of Coines this board think it Necessary to Continue for 3 yeares certaine at the least

Signed p ord^r John LLewellin Clk.

The act restrayneing the encrease of horses in this province to Comence forth with vpon publication & to Continue for 3 yeares. The Act obleiging the Colts to be gelded for three yeares successively & the Act its self may expire in a yeare or less if a Sessions happen J LLewellin

Putt to the Vote whether the think fitt and carryed in the Affi thereof

Putt to the Vote whether or Less p^rsented. . with 100000^{lb tob}

M^r Dent & M^r Ha to the Grant giue The

Mun

Original
Journal.

The house again

M^r

M^r

M^r

M^r Dent

M^r Caru

Then was read what

Putt to the Vote whether all Revenue vpon their Maj^{ties} Gouern^r time being shall stand as now drawne, or the by the Councill) be incerted, and Carryed by the Majority of Voices to stand as now drawne.

M^r Clarke Enters the house.

Letter from Coll Jowles directed to M^r Speaker read in the house the purport whereof was for allowance for provisions spent vpon those soldjers raised by him in the begining of the revolution as Likewise for his owne pay & Services done &c:

Putt to the Vote whether he shall haue Collonells pay allowed him for his service done or noe, and Carryed in the Negatiue.

Putt to the Vote whether thanks of the house shall be returned to the said Coll Jowles or noe, & Carryed in the Affirmatiue, & the house doe Unanimously returne the said Coll Jowles thanks for his great Service done to the Countrey vpon the Late Revolution.

The Co^mittee of Acc^{ts} goe out vpon their Charge.

An Act for 14^d Tonnage, read & passed third time & sent to the Councill board, by M^r Wynne.

M^r Greenfeild & M^r Jones sent to the Councill board wth some Lawes forgott to be signed by the Clerk of that board, who returne & say they deliuered the same.

Message from the Councill board brought by M^r Brookes which was read as followes Viz^t

By his Ex^{ncy} the Gouerno^r & Councill in Assembly
June 6th 1692.

The house vpon their Explanation of the 14^d p Tone haueing declared their sentim^{ts} thereof to be ffort duties belonging to and vested in the King, This board think it Necessary that of all Shipps & Vessells that shall hereafter Cleare the same be secured and Collected by the Navall Officers & Lodged in bank till his Maj^{ties} pleasure therein shall be further knowne, and they are desired to provide accordingly

Signed p Ord^r

John LLewellin Clk.

Original
Journal.

Sheweth Councill board to Enquire when the Collection
 Countreyes Use, carried Likewise wth
 their Report
 by M^r Lynes the w^{ch} house & voted and ordrd
 ticular Acc^t the w^{ch} was their againe.
 the contempt Craue to Evidence Cood ordrd
 him to soe good a purpose accordingly w^{ch} he was
 That that Thomas vpon
 Putt to shall be paid for his horse or allow
 for the same, & Carried by the small matter, & left to
 sue for the he Can.
 Putt to the Vote allowance he shall haue; and carryed
 by the majority of Voices that allowed 800^{lb tob}
 Hee is Called into the house.

M^r Speaker acquaints him with the Vote afore passed, whoe
 returns the house humble thanks for the same, and soe
 Tooke Leave &c^a

Coll Darnall makes his appearance here, and Desires to
 know the sence of the house concerning his Petition pre-
 ferred, as to Allowance for the severall things therein speci-
 fied.

He is told that the same was referred to the Co^mittee of
 Acc^{ts} and that an answeare thereto should be giuen him
 to Morrow.

M^r Addison & Cap^t Courts come from the Councill Board
 wth the Act for repeale of the Lawes &c^a which was read and
 passed the first reading.

They likewise say that his Ex^{ncy} desires a Conference with
 the house to Morrow Morning about tenn of the Clock.

M^r King & M^r Ennalls ordered to Examine into the Body of
 the Lawes, to see whether they be all Signed by both houses
 or noe.

The house adjournes till to Morrow Morning seaven of the
 Clock.

Tuesday June 7th 1692.

The house againe Mett & were Called ouer & were absent
 these following Members Viz^t

Edward Wynne Esq	} M ^r Dent M ^r Hawkins M ^r Ashman M ^r Smith }
Maj ^r Camell	
M ^r Tasker	
M ^r Biggers	

Then was read what was done Yesterday.

An Act for repeale of all the Lawes &c read & passed the
 second reading and sent to be Engrossed.

Putt to the Vote whether or noe, the Riske of the Original
Journal.
protest this yeare; and Carr Run the risk of

Mr Wynne Enters

Ordered that those in Money, and directions of
the England: all the Committee Memb^{rs} Viz^t
Next, shall be and all such as allowed their
Convention, To be Committee of Acc^{ts}
Mr Speaker wth the Chamber to the Conference yes
Admitted.

His Ex^{ncy} acquaints them came vp to that board,
which for some reason there, the which were Laid
downe by his Ex^{ncy}

That the Act for 14^d Tonnage carryed such a Clogg along
wth it, contrary to the intent of the body of the Law, therefore
thought it properest that it should accrue to the Uses of the
first intent. Mr Speaker answeres th^t if he had knowne the
Subject matter vpon which the Conference was desired, he
should haue Consulted the house to giue answere to the same
and therefore can att present say little therein till he receiue
instructions from the house.

That the Act limiting the Expences of the Justices of the
Provinciall Court he thought it to be Unequal that those Gen-
tlemen of the Councill that were likewise Justices of the
Provinciall Court should not be allowed equall to the afd
Justices left to Consideration of the house.

That the Act for Impost of 4^d a Gallon vpon Liquo^{rs} be
Considered off.

That the Act for Navall Officers ffees, his Ex^{ncy} thanked
them for settleing the 30^s p Shipp vpon him, but withall told
them that they Cutt off part of the same againe in alloweing
noe thing to the Navall Officer referred to Consideration.

That an Act had been sent downe from that board, for-
bidding Trade wth the Indians without Lycence from the
Gouernor to which his Ex^{ncy} tells them that Board had
receiued noe answere as yett; therefore desires they would
be mindfull of the same.

That in the Act for publishing of the Lawes, he tells them
there is noe fee ascertained.

Mr Speaker Answeres that they haue ordered a ffee of
1200^{lb tob} the w^{ch} his Ex^{ncy} does say is too small, & therefore
desires them to Consider furth^r of it.

The which Conference being Ended, Mr Speaker wth the
rest of the members returne to the State house, and take
their places.

Mr to the Navall Act & sent to the Councill
shall stand as now drawne was Endorsed & sent

Original to that his horse press a horse tices of the
Journal. Provinciall accordingly altered Agent in England
to Time, or noe, and Carried in the
Voted for the Countrey and that Sat Trouble
in and about the same

Voted that Vallue of 20^l st^{rl} be p^rsent^{ed} to Cap^t Pagan
for his kindness this Countrey.

M^r Ridgley has Engaged to furnish the said Money in Eng-
land, the house promising to reimburse the Vallue thereof in
Tobacco att 6^s p Cent in Ann Arrundall County.

The house proceeds to settle the Clks: Severall allowances
the which are ordered as follows, Viz^t

	lb Toba
To Clk of the Councill	6000:
To Clk of Assembly	6000
To M ^r Lomax	5500 allowed soe
	much by reason of his Expences.
To M ^r Griffith Jones	3000
To M ^r Watkins	3000
To M ^r Blayden	1600
To M ^r Peter Dent	3000
To the 2 dore keepers	1200 Each of them.
To the Drummer	1600

Voted whether an Imposition shall be putt vpon ffurrs or
noe and Carried in the Negatiue.

Henry Dentons Petition for a Boate of his pressed away, &
afterwards made use off by M^r Lynes before the same was
returned to the Owner and Likewise staved, the which being
read and Considered off by the house, they thought fitt that
Sattisfaction be made for the same out of M^r Lynes publick
Tobacco, and there vpon Ordrd that the sume of 1400^{lb} tobacco
be deducted out of the said Lynes publick dues to Sattisfy
the said Henry Denton his Loss aforesaid.

The purport of the said Ord^r was Endorsed Upon the afd
petition and Remitted to the Comitte of Acc^{ts}

Message from the Councill board brought by Coll Jowles
& Coll Hutchins which was read as followes, Viz^t

Money, Tobacco
vention to the
Brought likewise yett for
An Act prohi said) into & ordered that
the first of October
An Act inciall & County
An Act for the house and were
An Act for the passed the house M^r Speaker
to Communicate to
M^r ffiney & Maj^r to goe home, which was granted them
The house adjournes Nine of the Clock.

Wednesday 1692.

Original
Journal.

The house again Mett and were Called ouer & were absent these following Memb^{rs} Viz^t

Maj ^r Caruell	M ^r Ashman	}
M ^r Hanson	M ^r Smith	
M ^r Dent	M ^r ffinney	
M ^r Hawkins	Maj ^r Tripp	

Then was read what was done Yesterday.

Information made by a Member of this house, that one of the Delegates of An-Arundall County was about Two dayes before this Sessions of Assembly arrested & Taken by a Comon Capias, by the Sherriffe of the said County contrary to the Rights & priviledges of this house, and there vpon Voted a great breach of priviledge & ordered that the said Sherriffe be Caused to giue in good security to Answer the p^rmisses the Next Sessions of Assembly.

Voted that a bill be brought in for an Impost of four pence p Gall vpon all Liquores imported into this Province, Excepting such as come from England, and the Money to be Lodged in a Receiuer Gen^{ls} hands.

The said Bill brought in, and was read & passed the house the first & second reading and was sent to the Councill for their pervsall.

Coll Browne comes from the Councill Board wth the following Bill, Viz^t

A Bill Enableing one Burgess out of every County to Laye the publick Leavye of the province, the which was read & passed a third reading with the Amendm^t desired, and sent back againe to the Councill by M^r King whoe returnes & sayes he deliuered the same.

Cap^t Courts Comes wth the Returne of the afore mentioned Bill passed that Board the which was sent to be Engrossed.

Merchant to be Agent for this their Maj^{ties} first reading, and sent by M^r & Rejected.
read & Rejected.

here this Assembly read 2000^{lb} tob or 1200^{lb} tob
and 2000^{lb} Tobacco. for the Countreys Vse

Moued by a of Coll Jowles vpon to be made
putt to the Vote whether & Trouble vndertaken
Tobacco p poll or 1^{lb} tob p poll:
that he be allowed 2^{lb} tob^o p poll

Voted be allowed (the quantity of the as yett
vncertaine) the Sum^e of 20000^{lb} tobacco.

Voted and Ordrd by the house that M^r Lynes Acc^{ts} now
Lodged in the Comⁱttee be Regulated & allowed him by the
Comⁱttee appointed to laye the Leavye att the ffall.

Original
Journal.

Voted that noe more Tobacco be Allowed this Assembly.
The house Adjournes for an hour.

The house again Mett and were p^rsent as before.

M^r Vanderhayden moues this house that a Will of Augustin Hermans being torne out of the records, as Likewise the Originall lost, does therefore here produce a Coppy of the aforesaid Will, intimateing likewise that M^r Edward Jones and M^r Samuell Wheeler both Members of this house were Wittnesses to the said Will, desireing the same may be putt vpon Record.

Voted and ordered that the same be Entered vpon Record accordingly.

Coll Hutchins Comes from the Councill wth the Returne of the Act appointing Peter Pagan Agent for their Maj^{ties} province of Maryland Signed and passed that Board.

Complainte made by a Member of this house that one James Robinson has in an Egregious manner abused M^r Edward Boothby a Member of this house to the great Contempt & abuse of the Authority of the same itt was there vpon ordered that the Officer attending imediately take into his Custody the body of the said James Robinson soe that he haue him here forth comeing to Answer the premises.

The said Officer after some short time accordingly here produces the Body of the said James Robinson, and is ordered to Carrye him out againe

Putt to the Vote whether M^r Ashman & M^r Bigger Two Members of this house, shall be fined 1000^{lb tob} or 400^{lb tob} a peice for absenting themselues these severall dayes without Leave of the house & Carryed by the Majority of Voices that they be fined 1000^{lb} tobacco each.

Two Addresses Drawne vp to be that the severall Members board

An Act for paym^t read and passed
M^r Speaker with Councill Chamber and the
same

The house Morning

The house again from New Yorke, the which (after
Viz^t

That it belongs to Warr, and therefore swere
to be giuen to the aforesa

The same was sent

Voted that what Money the Gouverno^r vpon acc^t of
the Moyety of the reimbursed by the Countrey to his
Ex^{ncy} or heires.

Voted that the Money due from Cap^t Bourne & Maj^r King (out of the Moiety of the 2^s per hhd to the Countrey) may be

refunded to his Ex^{ncy} in part of pay of what the Countrey is found indebted to his Ex^{ncy} as likewise the Ballance of the Bills Left in Cap^t Blakistons hands. Original Journal.

M^r Lynes Acc^{ts} putt in and Referred to the Com^{it}tee appointed to Lay the Leavye in October Next.

Voted that a petition be drawne to his Maj^{ty} & Signed by the Speaker that his Maj^{ty} will be pleased to Ord^r that the Gouern^r here be refunded all such Moneys as he disburses for the Vse of the Countrey, out of the Twenty five Shippes which went out of this Province in the yeare 1690: without Cleareing, the which was accordingly done as followes Viz^t

To the Kings Most Excellent Maj^{ty}

The Humble petition of your Maj^{ties} faythfull Loyall and obedient Subjects the Representatiue body of this y^r Maj^{ties} Province of Maryland now Assembled.

Sheweth.

That yo^r Maj^{ty} was pleased in y^r gracious Lett^r in the yeare 1690 to the then p^rsent Governm^t of this Province, w^{ch} was the Convencōn of the ffreemen of the same, freely & indifferently chosen out of each County; to Comand them to p^rmitt the L^d Baltemore to receiue his Revenues here Ariseing; onely reserveing what had beene usuall for support of the Gouernm^t In Obedience therevnto they haue yearely sent for England the 12^d p^r hhd given for that End and purpose, of all such Shippes that Cleare in this Province, and haue defrayed all Publick charge of Gouernm^t by Tobacco Equally Leavyed vpon the Inhabitants thereof.

Maj^{ty} before the Arrivall of y^r had disposed of
by the said Imposicōn Gouernm^t By which
of a great part of this & Settlem^t of the
Matter there is noe Province in the yeare 1690 with
the said Imposicōn which he

The premises Petition^{rs} and Sacred Maj^{ty} that
the discouered may be Maj^{ties} Gouern^r in Consid-
eracōn of Support of the Gouernm^t before
Obedient Subjects as in duty
for y^r Long and prossperous

The house Adjournes till Twelve of the Clock.

The house againe Mett and were p^rsent as before.

Message sent to the Govern^r & Councill by Cap^t Whittington & Doct^r Brookes to know whether that Board will be pleased, to pass and signe those Lawes they haue before them or whether they haue any thing more to Offer to this house.

They returne & say that an Answer thereto will imediately be giuen.

Original Journal. Message from the Gouvern^r and Councill brought by Cap^t Addison and M^r Brookes which was read as followes Viz^t

By the Hon^{ble} Councill June 8th 1692.

1 This board puseing the Act for paym^t of the publick charge find an Article to his Ex^{ncy} the Gouvernor as a Gratuity w^{ch} this board conceiue is very vnsuitable for his great charge trouble & Vnd^rtakeing in the peaceable and happy Setlem^t of the Gouvernm^t of this Province especially considering a larger gratuity giuen to a pson of an Inferio^r capacity in the same Act allowed, which this board desire may be Rectified.

2. This board finding that in M^r Lynes acc^t of publick Expences of this hon^{ble} Councill, that each perticuler Article is charged to their perticuler acc^{ts} w^{ch} as this board is informed, the said Lynes is Ordrd to referr himselfe to them for Sattisfaccōn, Notwithstanding by his Exencys Speciall Comand they came downe to Attend him vpon his arrivall and vpon Surrender [of the government, and since] called downe vpon other [emergent occasions, which also this Board] desire may be rectif[ied].

3 This board Likewise [desire that some consideration may be taken in] Relation to the last [year's levy, that your House would] propose some [method of full satisfaction of all Bills] of Exch^a [drawn by the naval officers that are in the country] and others [that may come in protested on the same account next] Shipping Wherein if due care [be not taken it will destroy and render] the Creditt of the Countrey [insignificant and poor, very injurious] to many good people [living in and trading to the same].

[Signed per order

W. Taylard, Clk. Assistant]

Answer to the

By the house

This house are very well votes & will not receed from them and as will be Considred at the Laying of the Leavy. Signed p Ord^r

Hen Denton Clk Assembly.

The same was sent by M^r Hamond, Doct^r Brookes M^r Wattson M^r Greenfield & M^r Ennalls whoe returne and say they deliuered the said Message.

Act for publick assessm^t Signed by this house and sent to the Councill board by M^r Ennalls & M^r Maddux for their signeing & Assent

M^r Tench and Cap^t Courts come from the Councill board wth the returne of the afd Law passed there, the which was

Endorsed the third reading, and sent back again to the Council board by Mr Pinder Mr Wattson & Mr Sanders. Original
Journal.

Att the Request of Mr Ridgeley, the Sherriff, of Ann Arrundell County is discharged from the Censure of the Vote of this house yesterday passed against him.

Mr Pinder, Mr Wattson and Mr Sanders returne from the Council board and say they deliuered their Message, and wth all that his Ex^{ncy} desired the house would walke up to see the Lawes Signed.

Mr Speaker with the Rest of the Members of the house goe vp to the Council Chamber accordingly where were signed by the Gouern^r and passed vnder the great Seale of the Province these following Lawes Viz^t

[An Act for the Service of Almighty God, and] the Establishment of the [Protestant Religion within this Province].

[An Act concerning what shall be allowed to the] Grand Juryes that are [summoned out of the body of this Province to attend] Provinciall Courts.

[An Act Concerning those Servants that have Bastards]

An Act [providing what shall be good evidence to] proue fforraigne Debts.

[An Act prohibiting all Masters of Ships or Vessels] or any other pson from Transp[orting or conveying away any pson or] psons out of this Province with[out Passes].

An Act [for the encouragement of the importation] of Nigroes into this Pro[vince]

An [Act for securing the Rights of] Severall psons.

An Act [for limitation of certain actions for a]voideing Suites att Law.

An Act [for quieting Possessions]

An Act [prohibiting Comm^{rs} Sheriffs] Clks and Deputy Clks to plead as Attorney[s in their respective] Courts.

An Act pro[hibiting trade with the] Indians for any fflesh dead or a Liue Except deere and Wild

An Act for the more speedy bringing to tryall and suppressing Criminalls and Limiting their punishm^{ts} for Certaine Offences when prosecuted in the County Courts.

An Act for Appeales and Regulateing writts of Error.

An Act concerning Negroes and Slaues

An Act for the Restraining the Unreasonable Encrease of horses in this Province.

An Act for Regulateing Ordinaryes & lymitting the Number of them within this Province.

An Act declareing what shall be Done by the Sherriff Ex Officio.

An Act concerning the hight of ffences.

Original
Journal.

An Act for Naturalization of John Ouldson & Mathias Vanderhayden.

An Act for secureing Merchants & others Tob^a after they haue Receiued it.

An Act Impowering Com̄mission^{rs} of the County Courts to Leavy and raise Moneyes to defray the Necessary Charges of their Countyes.

An Act for publication of all Lawes with in this Province.

An Act for the Election of Sherriffs.

An Act for payment of ffees due from Criminall psons.

An Act Touching Coopers & the gage of Tobacco hogs-heads.

An Act for Limitation of Officers ffees.

An Act for Limitting the County Clerks ffees wthin this Province

An Act ag^t Burners of ffences

An Act Relateing to the Seizure of Tobacco by the Sherriffe

An Act for Marking high wayes & makeing the heads of Rivers Creekes and Branches or Swamps passable for horse & futt

An Act for the better administration of Justice in probate of Wills granting Admacōns Recouering of Legacies and secureing ffilliall portions.

[An Act prohibiting foreign Ingrossers]

An Act for the Enrollem^t of [Conveyances and securing the Estates of] Purchasers.

An Act prohibitting [arrests upon Sabbath days and days of general] Muster and Tr[aining]

An Act again[st Ingrossers and Regrators]

An Act for [ascertaining the Expenses of the Comm^{rs} of the Provincial and County Courts.]

An Act for [the publication of Marriages]

An Act for [the due recording of all the Laws in this Province in] the Secre[tary's Office]

An Act for [the fourteen pence tonnage]

An Act for [settling Naval Officers fees within this Province]

An Act for [the Ordering and regulating the Militia of this] Province for [the better defence and security thereof]

An Act for Takeing [away all errors in Proceedings at] Law and equity and in the [Court for probate of Wills occasioned by] the late Revolution.

An Act against [hog-stealers and marking of hogs]

An Act for appointing [Court days in each respective] County wthin this Province.

An Act for the Easem^t of the [inhabitants of this] Province in suites of Law for Small Debts.

An Act ascertaining what damages shall be allowed vpon
protested bills of Exchange

Original
Journal.

An Act for keeping a Register of Births Marryages &
Burialls in each Respective County.

An Act for preventing vexatious & vnnecessary suites at
Law.

An Act for Encouragm^t of Tillage & Raiseing Provisions
for Advancem^t of Trade within this Province.

An Act for Recording the Journall of the house of Assembly.

An Act concerning Indians

An Act Relateing to Servants and Slaues.

An Act for Encouragem^t of such p^{ersons} as will undertake
to build Water-Mills.

An Act for the Secureing Creditors.

An Act for the Constables takeing a List of Taxables.

An Act Limiting the Extent of Attachments and provideing
what shall be Leavyed on Attachem^{ts} & Executions.

An Act imposeing a penalty on all such who shall dispose
of Tobacco Seized and Receiued by the Sherriffs and others.

An Act for Stay of Executions after Aprill Courts

An Act for Killing of Wolues.

An Act for the better administracōn of Justice in the County
Courts of this Province.

An Act for Amercm^{ts} in the Provinciaall & County Courts.

An Act for appointing Coroners in Each Respective County

An Act for the appointment of certaine Officers.

An Act for Punishm^t of p^{ersons} Suborning of Wittnesses or
Comitting wilfull and Corrupt perjury.

[An Act for the settlement of an annu]all Revenue vpon
their Maj^{ties} [Governor within this Province for the] Time
being.

Comision^{rs} of the Province

[An Act against excessive Usury]

[An Act for the preservation of the severall] harbours wthin
this Province

[An Act for the preservation of Orphans real] Estates.

[An Act against the Exportation of Wool and old] Iron.

[An Act restraining the Exportation of leather] and Raw
hides, [Deer and Elk Skins of this Province for the] encour-
agement of [Tanners and Shoemakers]

[An Act for the Settling of a standard with English]
Weights and Measures [within the severall and respective
Counties in] this Province.

[An Act for the advancement of Coins]

[An Act against the importation of convicted] felons into
this Province

Original Journal. An Act [directing the manner of electing] and Sumōning Delegates and Repres[entatives to serve in succeeding] Assemblies

An Act [concerning Proceedings at Law]

An Add[itional Act to the Act for] the Regulateing Ordinaries & Limitting [the number of them] within this Province.

An Act against Divulgers of false News.

An Act for Naturalizacōn

A Supplementary Act to the Act for the Settlement of An Annuall Revenue vpon their Maj^{ties} Gouern^r wthin this Province for the time being

An Act for the Imposition of four pence p Gallon on liquors imported into this Province.

An Act prohibiting Trade wth the Indians.

An Act of Repeale of all Lawes here to fore made in this Province and Confirmeing all Lawes made this Generall Assembly

An Act appointing Peter Pagan Merchant to be Agent for their Majesties Province of Maryland.

An Act Enableing one Burgesse out of each County to lay publick Leavy of the Province for this Present yeare

An Act for payment and assessing of the Publick Charges of this Province.

The aforesaid Lawes were Signed and Subscribed by the Gouern^r thus Viz^t

June the 9th 1692.

On the behalfe of their Maj^{ties} King W^m & Queen Mary, I will these to be Laws. L Copley.

Afterwards his Ex^{ncy}e acquaints them wth this Resolution of Adjourning the Assembly and accordingly Ord^{rs} M^r Speaker to adjourne the house vntill the 20th day of October Next ensuing whoe therevpon with the Rest of the Members of the house repaire to the State house againe and take their places.

Voted and Ordered that the 14^d p Tonn be lodged in some secure & safe hand vntill such time as his Maj^{ties} pleasure be further knowne in the same.

Then M^r Speaker with (complyans) to his day of October soe Ended this the fourth Lady King

Maryland ss.

Att an Assembly held at the Citty of S^t Mary's on the Tenth Day of May Anno Dom. 1692. And in the 4th Year of the Reign of Our Sovereign Lord & Lady William and Mary by the Grace of God of England Scotland France and Ireland King and Queen &c^a These Acts following were made.

Lib. L. L.
No. 1.
p. 1

An Act of Recognition

Wee your Majesties most humble and Loyall Subjects of this your Majesties Province of Maryland the Governor and Generall Assembly do beseech your Most Excellent Majestys that it may be Publish'd & declared in the Generall Assembly and Enacted by authority of the same. That we do Recognize and Acknowledge your Majestys are and of Right ought to be by the Laws of the Realme of England Our Sovereign Liege Lord and Lady King and Queen of England Scotland France and Ireland and the Dominions thereunto belonging in and to whose Princely Persons the Royall State Crown & Dignity of the said Realms, wth all hono^{rs} Stiles Titles Regalities, Prerogatives, Powers Jurisdictions and Authorities to the same belonging & appertaining are most fully rightfully & intirely invested & Incorporated united and Annexed

June the 2^d 1692

The house of Assembly have Assented

7th June 1692

Signed p Order

Assented to by the Councill Board Hen:

Signed p Order W: Taylard Clk Assit^t

An Act for the Service of Almighty
God and the Establishment of the Protestant
Religion within this Province

p. 2

Forasmuch as in a well Governed Commonwealth Matters of Religion and the Honour of God ought in the first place to be taken in serious consideration, and nothing being more acceptable to Almighty God, then the true and Sincere worship and Service of him according to his Holy Word Bee it therefore Enacted by the King and Queens most Excellent Majestys by and wth the advice & consent of this present Generall Assembly and the Authority of the same That the Church of England within this Province shall have and Enjoy all her Rights Liberties and Franchises wholly inviolable as is

Lib. L. L. now or shall be hereafter Established by Law, and also that
 No. 1. the Great Charter of England be kept and observed in all points, and forasmuch as the Sanctifying and keeping holy of the Lords Day commonly called Sunday is and hath been Esteemed by the present and all primitive Churches and People a Principall and Cheif part of the said Worship, which Day in most places of this Province hath been and still is by many wicked Lewd and disorderly people Prophaned and neglected, by working Drunkenness Swearing Gaming & other unlawfull pastimes and debaucheries, for remedy whereof, for the future

Bee it Enacted by the King and Queens most Excellent Majestys and by and with the advice and consent aforesaid. That from and after the publication of this Law no Person or Persons within this Province shall work or do any bodily
 p. 3 Labour or Occupation upon any Lords Day commonly called Sunday, nor shall command or wilfully suffer or permitt any of his or their children Servants or Slaves to work or labour as aforesaid (the absolute works of necessity and mercy allways Excepted) Nor shall suffer or permitt any of his her or their Children Servants or Slaves or any other under their Authority to abuse or Prophane the Lords Day by drunkenness, Swearing Gaming, fowling fishing, hunting or any other Sports Pastimes or Recreations whatsoever. And if any person or persons within this Province from and after the Publication hereof, shall offend in all or any the premisses, he she or they so offending, shall forfeit and pay for every offence one hundred pounds of Tobacco, the said Offences being done, any of them being done in view of any Justice of the Peace Magistrate or other head Officer of any County Citty or Town Corporate within this Province within their limmitts respectively, or being proved upon Oath by two or more Witnesses, or by the confession of the party offending, before any such Justice Magistrate or head Officer within their severall Limitts respectively wherein such Offence shall be committed, to which end every Justice Magistrate or head Officer shall have power by this Act to administer an Oath to any such Witness or Witnesses, any of which sum or sums of Tobacco so forfeited shall and may be Executed and levied by the Sherriff under Sherriff or Constable by Warrant to any one of them directed from any such Justice or Justices of the Peace Magistrate or other head Officer as aforesaid within their severall Limitts where all or any of the said Offences shall be committed or done by distress and sale the offenders goods, rendring the Party overplus or they shall be recovered by bill plaint or Information, by any person or persons that will sue for the same, in any of their Majesties Courts of Record within this Province

All which forfeitures shall be Employed to and for the use of the Poor of the Parish Citty or Bourrough where such Offences shall be committed of the which the said Justices Magistrates head Officers Sherriffs or Constables shall render an Accompt at the next Court to be holden for the Respective Counties Citties or Burroughs, And in default of such distress the Sherriff under sherriff or Constable are hereby authorized and impowered to bind them over to the next Court to be holden for the County Citty or Burrough respectively, and to be during the Intervall of good behaviour

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No. 1.
p. 4

And be it likewise Enacted by the Authority aforesaid that no ordinary keeper Master or Mistress of a family from and after the time aforesaid either directly or indirectly by any Colour or pretence whatsoever (unless in case of absolute necessity) shall or may uppon any Lords day as aforesaid sell any strong Liquor whatsoever to any person what soever or knowingly or wittingly suffer or permitt in or about his her or their house or houses, any Tippleing Drunkenness or gameing Exercise or pastime whatsoever as aforesaid being convicted thereof by two Sufficient Witnesses under the penalty of two thousand pounds of Tobacco, the one Moyety or one half part thereof to their said Majes^{ts} their heirs or Successors to the support of the Government and the other half to him or them that shall sue for the same, by bill plaint or Information in any Court of Record within this Province, And if any ordinary keeper, to loose his Licence. And for the raising of a Supply of the Ministry and the Maintenance of the ministers of Gods word and Sacraments

Bee it Enacted by the Authority aforesaid that the severall Commissioners and Justices of each respective county within this Province shall at some convenient time between this and the first day of September next ensuing, meet togeth^r at the respective places of holding the Courts for the same Countys, and shall give notice to the most principall Freeholders of the severall Counties to attend them at the said time and place of meeting to be by the said Com^{miss}^{rs} and Justices appointed, ten days before the same and thereby and with the advice of the principall freeholders aforesaid, so many of them as the said Commissioners and Justices shall call to their Assistance divide and lay out their severall and respective Counties into severall districts and Parishes so many as the conveniency of each respective county and the scituation of the same will afford and allow of, as in the discretion of the said Justices with the advice aforesaid shall be thought convenient And the same districts and Parishes the said Justices shall cause to be laid out by meets and Bounds and fair certificats of each Parish with the most evident and demonstrable Bounds of the same,

p. 5

Lib. L. L. return to the next County Court to be held for the said
 No. 1. County, which the said Justices at their County Courts as
 aforesaid shall cause the Clerk of the said Court to enter the
 said certificate uppon Record, and draw a fair Copy thereof,
 affixing his name and the Seale of said County thereunto and
 Transmitt the same with all convenient speed to the Gov^r and
 Councill of this Province to be kept on Record in the Councill
 Books, for which the said Clerk shall be allowed as for other
 matters recorded to be paid by the severall counties, and
 for the more sùre and certaine Effecting of the same, the
 severall Justices of the severall Counties within this Prov-
 p. 6 ince, which Clerks aforesaid are hereby enjoyned and
 required to do and performe the severall Injunctions requi-
 site and parts of this Law under the penalty of five
 hundred pounds of Tobacco to every Justice failing in
 the premisses, and to the Clerk one thousand pounds of
 Tobacco to be recovered in their Majestyes names in any
 Court of Record in this Province and Employed to the use of
 the Parrish where the said Offender shall reside and the Sev^l
 Parishes being laid out limited and bounded in the severall
 Counties within this Province as aforesaid the Freeholders of
 each Parish do within some convenient time within two months
 as by the Justices of County Courts aforesaid shall be ap-
 pointed, meet together at the most convenient place in the
 said Parish to be also appointed by the Justices aforesaid,
 and there make choice of six of the most able men of the
 said respective Parishes to be a Vestry for each respective
 Parish as aforesaid, who are hereby Authorized Impowered
 and required to take care of preserve and Imploy all such
 Tobaccos, Wares, goods and Merchandizes as by this Act
 or any other Act hereafter to be made, or by any other
 waies or means whatsoev^r shall be given or granted raised or
 allowed to the use of the Church or Ministry of the said Parish
 to which they belong. To which end and purpose the said
 Vestrymen or the Major part of them when and as often as
 need shall require shall meet together and have a Clerk to
 attend them to take the accompt of all such Tobaccos, Goods,
 Wares and Merchandizes as by any means as aforesaid shall
 accrue to the use of the Ministry in the Parish aforesaid, and
 with the first Tobaccos goods Wares and Merchandizes as
 aforesaid, shall erect and build in the most conven^t place of
 the said Parish, one Church or Chappell in such Dimentions
 p. 7 and Proportions and in such Methods and ways as by the said
 Vestry men in their discretion and Judgement shall think fitt
 and convenient (such Parrishes as already at the time of the
 laying out of the same shall appear to have churches and
 Chappells already built in them Excepted) the said Vestry

men alwayes keeping a Record how and in what manner they shall execute and performe the severall Trusts in this Act re-
posed in them and also shall procure yearly and every year from the Constables within each hundred within their Parrishes aforesaid or by such other waies or means as to them shall seem expedient a true & just accompt and list of all Taxable Persons within their Parrish aforesaid and the same yearly and every year cause to be recorded amongst their other Proceedings, the better to Enable them to know what sum or sums of Tobac^o to demand and require of the Sherriff of the County for the use of their Parish aforesaid, as by this Act hereafter shall be raised for the uses aforesaid, That is to say, That a Tax or assessment of forty pounds of Tobacco p pole be yearly and in every year raised and levyed upon every Taxable Person within each Parrish aforesaid, and to be collected and gathered by the Sherriff of the County in manner and form as the publick or County Levies hitherto have and still are collected and gathered which said Sherriff is to make punctuall payment of the said Tax or Assessment to the Vestrymen of each Parrish as aforesaid, of so much Tobacco as by the Tax aforesaid shall be raised wthin each Parrish, the said Sherriff deducting his Salary for collecting the same, five pounds of Tobacco p Cent, which said Tobacco so Assessed and raised as aforesaid shall always and after the building of a Church or Chappell wthin each Parrish as aforesaid be appropriated and applyed by the Vestrymen aforesaid to the use and benefit of the Minister of that Parrish if any Minister Inducted into the same, But if no Minister be Inducted into the Parrish, then the same Tobacco or such part thereof as by the said Vestry men shall be thought convenient to be kept and made use on for the necessary reparations of the Church or Chappell aforesaid or other pious uses at the discretion of the Vestry men aforesaid. And to the end that any gift bequest Grant ordination or appointment by any person or persons which shall be so piously inclined either by their last Wills and Testaments or by Deed Executed in their life time to give grant or anyways appoint or bestow any sum or sums of Money Tobaccos Goods or Chattells Lands Tenements or hereditaments of what nature or kind soever for the use and benefit of any Minister or Ministers or to the Ministry or Poor of any Parrish or Parrishes within this Province, the Vestrymen for the same Parrish by this Act are Impowered and Authorized to take the same into their Custody and Possession and apply to the use and intent of the Donor or Donors And the better to enable them to recover and receive the same, they are hereby fully and absolutely Empowered Authorized and Qualified to prosecute and maintein any Action or Actions whatsoever,

Lib. L. L.
No. 1.

p. 8

Lib. L. L. whether reall personall or mixt for the Recovery of all or any
 No. 1. the premisses aforesaid from any Person or psons that shall
 hold or deteine any of the goods or chattles Tenem^{ts} or
 hereditaments as aforesaid, given and granted & otherwise
 app^{td} to the uses aforesaid, or for any damages accruing by
 any Trespass uppon and in the premisses or any of them, and
 in the Prosecution of any Action or accōns as aforesaid to
 p. 9 prosecute Act and do in the nature and amply as a body
 Politick or corporate might or could do for the recovering of
 the same and preserving of the p^rmisses aforesaid in any
 Action or Actions to be comēced as aforesaid in the Writt
 and Declaration and other proceedings of the same the prin-
 cipall Vestrymen shall be named together with the other his
 Vestrymen as aforesaid for the Parrish especially appointed
 by Act of Assembly any Law Statute or useage to the con-
 trary hereof in any wise notwthstanding. And when any
 Vestryman or Vestrymen shall at any time hereafter happen
 to dy or depart this life or out of the Parish to which he or
 they belonged, It shall and may be lawfull to the other Vestry-
 men who are hereby enjoyned at their next meeting to make
 choice of such other able person or persons residing and being
 Freeholders in the Parrish aforesaid to make up the number
 of such deceased absent Vestryman or Vestrymen as afore-
 said. This Act as to the raising and Assessing a Support by
 the Pole not to commence or be in force untill after the Tenth
 Day of March next, but as to all other parts thereof, from and
 after the Publication of the same.

June 2^d 1692

June 2^d 1692

Assented to by the Council Board.

Signed p Ord^r
 John Llewellyn Clk.

The house of Assembly have
 Assented

Signed p Ord^r
 Hen: Denton Clk.

p. 10 An Act for the better Administration of Justice
 in Probate of Wills granting Administrations
 recovery of Legacies and securing fillial
 Portions

Whereas for the more due Administration of Justice it is
 most necessary that there be a Settled succession from the
 Dead to the living and that the Wills of all persons dying
 (who in their life time make their Wills) & may be duly
 proved and Letters of Administration of all Persons dying
 without wills may be granted to such persons who have the
 best right to succeed thereto, That there may in that case be
 no failure of Justice, but that it may be duly Administred within

this Province, and all Legacies speedily Recorded and filiall portions & Orphan Estates duly secured and easily obtained ordained to the true intent of the Laws heretofore made now still in force or hereafter to be made Bee it Enacted by the King and Queens most Excell^t Majesties by the advice and consent of this present Gen^l Assembly and by the Authority of the same. That the Judge or Co^mmissary Generall for the Probate of Wills and granting of Administrations shall hold his Court onc't in two months at the least or oftner as the case shall require, regard being had to the distance of habitation of the suiters of the said Court and the dispatch of Forrainers who have frequent occasions to seek Justice in the Court for probate of Wills and Granting Administration before the Judge thereof. And for as much as certainty is the mother of repose and that our dependance upon England oblige us to make all our Laws as near as may be consonant to the Laws of England Bee it further enacted by the authority aforesaid That the Judge for the probate of Wills & granting Letters of Administrations within this Province in all causes relating to Wills and granting Letters of Administrations shall proceed according to the Laws of England now in force or hereafter to be in force wthin twelve months after such Law shall be Published in the Kingdome of England if pleaded before him here, saving in such cases as shall in this Act be limmitted or shall hereafter be limmitted by Act of Assembly of this Province as utterly Impracticable in this Province Provided alwais th^t it shall and may be lawfull for the Judge of probate of Wills to prove any last will in this Province even although it concern tittle to Land, any Law usage or custome to the contrary notwithstanding, And to the end that filiall porcōns may be secured to the children of all persons dying Intestate and Legacies paid to Legatees of persons who make wills Bee it likewise Enacted first that the Judge for Probate of Wills and granting of Administrations shall Call all Executors & Admin^{rs} to Acco^t for the Estates of persons deceased within twelve months next after administration co^mmitted, And if any Administrator shall faile to give an Account within the time aforesaid being lawfully thereunto cited, That then the said Judge shall revoke the first Lett^{rs} of Administration to such administrator committed and shall grant Administration de bonis non administrat. to some other person as in his discretion he shall think fitt, which said Administration duly appointed shall give security as all Administrators do and shall so sue and implead the former Administrators before the Judge afores^d for an Accompt of the Estate of the Intestate, And in case it shall appear to the Judge aforesaid that the former Administrator hath wasted or

Lib. L. L.
No. 1.

p. 11

p. 12

Lib. L. L. Imbezelled the estate of the Intestate then the Judge shall
 No. 1. assign the Bond entred into by the former Administrator and
 his security unto the latter Administrator to be relieved against
 them for such wasting and Imbezelling

That the Judge upon acco^t given by the first Administrator
 as aforesaid shall make division of the clear Estate of the
 Dec^d after debts paid and funerall expence defray'd, that is to
 say shall allow to the Widd or Relict of the said Intestate if
 any such be one full third part thereof, and the other two thirds
 shall be equally devided between the children of the said dec^d
 (if any such be) and if no such be then between the next of blood
 of the Intestate, and after such division made, shall transmitt
 the accompt thereof to the Justices of the severall and respec-
 tive County Courts, who are by this Act appointed authoriz'd
 and enjoyned to put the persons Lands Goods & Chattells of
 the Orphans into the hands of such persons as they shall think
 fitt tak^g bond wth two Sufficient sureties in the name of the
 Orphans themselves for securing and delivery of the said
 Estate to the s^d Orphans or their Guardians, when thereunto
 lawfully called according to the rules and directions hereafter
 by this Act prescribed Established and ordained and not other-
 wise, which Rules shall be rules not only for the Justices of
 the County Courts to proceed by in taking the Acco^{ts} of Guar-
 dians or Trustees for Orphans, But also for the Judge of pro-
 bate of Wills and granting Administrations in the taking
 p. 13 acco^{ts} of Orphans Administrators and bare Executors to the
 benefitt of others nor shall the judge make any other allow-
 ances to any Admin^r or Administrators upon his or their
 Accompt but for debts bona fide owing by the Dec^d & really
 paid or secured to be paid by the severall & respective Ad-
 ministrators

Imp^rmis No negro or other slave shall be sold or disposed
 of by any Adm^{rs} for payment of debts or otherwise reserved
 for the Adm^{rs} own use in Satisfaction of any debts due to the
 said Adm^r nor any Execution served uppon Negroes or other
 slaves so long as there shall be other goods of the deceased
 Sufficient to satisfy the just debts of the deceased but shall be
 kept upon the hazard of the Estate and Employed for the
 benefitt of the creditors and Orphans (if any be) during the
 first year, at the end of which the Adm^{rs} is to acco^t for the
 Estate and the proffit of such slaves shall be Assetts to the
 Creditors and devideable between the wife Children and Rela-
 tions of the said Deceased if there be no Creditor^s

2^{dly} That no Account be allowable for Dyet Cloaths Physick
 or Education to any Administrator or Guardian to any orphan
 agst the Estate of the Intestate or against the filial p^{te} of any
 Child committed to any Gardian or other persons intrusted

by the County Court, but that the said Orphan shall be maintained and Educated by the Interest of their Estate and encrease of their Stocks so far forth as the said interest and encrease will extend. But if the Estate be so small that it will not extend to a free Education, such Orphans shall be bound prentices to some handycraft Trade or other person at the discretion of the County Courts untill they arrive to the age of one and twenty years except some kinsman or Relation or some other charitable Person will mainteyn them, on the Interest of the finall Estate they have without any diminution of the principall which shall always be delivered to the Orphans at the years hereafter in this Act limitted and appointed Provided alwayes that no Orphan shall be put into the hands of any person of different Judgement in Religion to that of the deceased parents of the said Orphans. Lib. L. L.
No. 1.

3^{dly} That all cattle horses and sheep shall be returned in kind by the Guardians or other persons intrusted with the Orphans Estate (That is to say) so many Cattle horses and sheep as they received of the same age as the Cattle horses and sheep were of at the time they were deliv'ed to the Guardians or Trustees of such Orphans. p. 14

4^{thly} That all money Plate Rings and Jewells be preserved and not used by the Guardian or Trustees and delivered in kind to the said Orphans when they come to age, And that all household stuff and lumber be appraised in money and not otherwise and the Value thereof paid by the Guardians unto the Orphans as aforesaid, either in money sterl according to the Appraisment or in Toba. at the then price currant. And in case any difference shall arise what shall be the price curr^t at the day of Payment in the Bond taken & limitted The Judges of the County Court where the Orphans Estate doth ly shall then determine what shall be the price Current

5^{ly} That every male Orphan shall be at full age to receive from his Guardian his Estate at the Age of one and twenty years and not before, But in case any person by his last will and Testament do appoint any Person to be his Executor or Executors that is full Seventeen years of age, that person so appointed shall be of sufficient age to administer as Executor or Executors, and if such Executor or Executors be under the Age of seventeen years, the Administration shall then be comitted to such other persons as the Judge for Probate of Wills and granting Letters of Administration shall approve durante minoritate, and to the sole profitt use and behoof of the Instant Executor or Exec^{rs} and not otherwise, nor in any other manner, And forasmuch as the right to Administration of the Goods of persons intestate may fall upon persons under the age of seaventeen years It is hereby declared that as p. 15

Lib. L. L. they are within like reason, soe they are within like Law with
 No. 1. infant Execut^{rs}

6^{ly} That every female Orphan shall be accounted of full age to receive her Estate at the age of sixteen years or day of Marriage which shall first happen

7th That all negroes and other slaves after the Trans-
 mitting of the Estate to the County Court as aforesaid shall be appraised to the Guardians or Trustees and be preserved by them and be Employed to the said Guardians or Trustees use and benefitt, and the like number of slaves and of the like ability of body be returned to the said Orphans out of their encrease if any be at their full age by this Law limitted, And if any of the said slaves be grown aged or otherwise Impotent or be lamed, and that the encrease will not make the originall stock good as to the number and ability of body, that then they shall be again appraised by the said County courts and the Guardians or Trustees, shall pay to the said Orphans so much money or Tobacco as the County Court shall judge the Orphans stock of negroes then to be of less Value then they were of, at the time of their first appraisment and the delivery of the said Slaves to the said Guardian or Trustees. But in case
 p. 16 no Guardian or other person will upon these Terms accept of these slaves Then it shall be lawfull for the said severall and respective County Courts to putt the said Slaves out upon any other Terms to any other person, so that the said Originall stock of slaves be not sold nor any of their encrease, but in the best manner may be preserved for the Orphans till they come to their severall ages by this Act limitted and appointed, to the intent they may have their first stock made good to them in number value & ability of body if it may be.

8^{thly} That all that are Servants for years be likewise returned in kind to the Orphans at their full ages (that is to say) the same number of the same age and sex, and the like number of years to serve and of the same Ability of body as near as can be guessed as the Serv^{ts} were when received by the Guardian or Trustee

Whereas every Administrator in his Inventory incerteth what Debts are sperate & what are desperate & upon Acco^{ts} is allowed what debts are desperate, the Judge for the Probate of Wills shall transmitt those desperate debts wth the division of the overplus of the estate unto the severall & respective Justices of the county Courts where the Estate shall lye, to the end the said Justices may enquire whether the said Administrators have by fraud or otherwise neglected to recover the same, or have received and never accompted for the same, and shall with the residue of the said Estate committ the said desperate Debts to the care of the Guardian or other Trustee

by them Employed, and shall yearly and every year call the said Guardian or Trustee to accompt for the same and duly inspect what of the said debts they have received or might have received, And if the said Guardian or Trustee faile to give his Accompt yearly or by fraud or Covyn neglect or forbear to recover the same, the said Guardian or Trustees shall stand charged therewith and be accountable for every such Debt by them received and not accounted for or neglected or forborne to be recovered.

Lib. L. L.
No. 1.
p. 17

That all Justices of the County Courts take able & sufficient security for Orphans Estates, and enquire yearly of the security, and if there be just cause that they require new and better security to remove the Orphans Estate into better hands, and further that the Justices of the County Courts shall yearly in June Court enquire by a Jury of twelve men whether the Orphans be kept mainteyned and educated according to their Estates, and whether Apprentices are yearly taught their Trades or rigorously used or turned to common labour at the Ax and hoe instead of learning their Trades, and if they find the Orphans not mainteined and educated according to their Estates or the Apprentices neglected to be taught their Trades upon pretence that the last year is enough to learn the Trade, That they remove them to other Guardian or Masters respectively And in case that the Jury shall find that any Apprentice is not taught his Trade but put to other labour as aforesaid, The said County Court shall condemn the said Master of such an Apprentice to make the Apprentice such satisfaction as in Justice his years labour at other work shall deserve and five hundred pounds of Tobacco to be paid to the said Orphan

11th That the Justices of the County Courts cause the conditions of the Bonds they take of Guardians or Trustees or Orphan Estates to be exactly drawn according to the Act and Recorded in the County Courts, and the Indenture for Apprentices likewise That it may duly appear to the Judges p. 18 wheth^r Guardians Trustees or Masters do right between them and to that end that they cause the said Clerk of their court to present the Jury with a List of the Orphans and Apprentices in their Counties every June Co^{rt}

12th That no more be allowed to a Guardian or Trustees for Collecting debts due to Orphans then Ten p c^t the usuall allowance to Administrat^{rs} and Factors by the Merchants

13th And further in regard by the Judge or Com^{missary} Gen^l for proving of Wills and granting Administrations, there is a saving to all Persons of their right of appeal from the Sentence of the said Judge to the cheif Govern^r for the time being of this Province. Be it enacted that all and every per-

Lib. L. L. son appealing from the sentence of the said Judge shall wthin
 No. 1. fifteen days at the furthest after such Sentence given enter his
 appeal before the said Governor and within fifteen daies more
 Petition the Gov^r of this Province for the time being to Examine
 the Sentence of the s^d Judge or appoint such other person or
 persons as he shall think fitt to hear and determine the same
 whose sentence shall be finall without further appeal Repeale
 or review, And for that divers Bonds have been taken by the
 respective County Courts of this Province in the name of the
 Worshipfull Co^mmissioners of the County Courts or in some
 such other Termes amounting thereunto and for the use of the
 severall respective Orphans in the severall and respective
 Counties of this Province, with condition to pay unto the said
 Commissioners or Justices of the Peace, the respective sums
 of Tobacco or money in the respective Conditions contained
 in pursuance of this Act when in truth the said Co^mmissioners
 p. 19 of the County Court are no body Politique nor capable of
 suing the said Bonds so as before taken to and for the use of
 any Orphans in this Province Bee it Enacted by the Authority
 aforesaid that all Bonds so as before taken to and for the use
 of any Orphans in this Province in pursuance of this Act shall
 be sued and recovered in the name of the Orphans to whose
 use such Bonds were taken either in the County or Provinciall
 Court at their Election and choice of the said Orphans any
 Law Statute or useage to the Contrary hereof, in any wise not-
 withstanding. And for the ease and benefit of the good
 People of this Province that hereafter shall have occation to
 resort to the Judge in Testamentary Causes for Probate of
 Wills and granting of Administrations Bee it Enacted by
 the Authority aforesaid that the Commissary Generall of this
 Province Chancellor or other Person that shall from time to
 time be appointed a Judge in Testamentary Causes for grant-
 ing of Administration shall from time to time and at all times
 during his continuance in the said Office constitute Ordain
 and appoint some able and Sufficient person of good repute
 and a freeholder in every respective County in this Province,
 to take the probate of any last will or Testament of any Person
 or persons either nuncupative or in writing, even tho the same
 be concerning title of Land, & likewise the granting of any
 administrations of any Person dying intestate in the respective
 counties where each person or persons so appointed shall
 reside & Inhabit, which said person in each respective county
 in this Province so appointed as aforesaid, shall and may take
 the proof of any Will whatever as aforesaid of any person as
 aforesaid within the county aforesaid, and grant Letters Testa-
 mentary upon the same, And likewise grant any Administra-
 tions to any Person or persons whatsoever, that right hath to

the Administration of any Person Deceased within the County where he dwelleth as aforesaid, But if any contest or dispute shall arise between any persons concerning the right to Administration or Executorship, the same shall be decided by the Chancellor or Commissary Generall or Judge in Testimentary Causes & not by such person appointed in each County as aforesaid, neither shall such person grant such Administration or take the probate of such Will till such time as such dispute or difference is decided and determined by the proper Judge thereof, and certificate from such Judge of the same, And such person so appointed as aforesaid shall and is hereby allowed as a Fee for granting such Letters of Administration as aforesaid, Sweārg the Administrator and appraisors or for the probate of any Will or sweārg every Executor or Executors and Letters testamentary, the sume of one hundred and fifty pounds of Tobacco to be paid by such person or persons requiring administration or Letters Testamentary as aforesaid unless the Estate be so small as not to amount to the sum of two thousand pounds of Tobacco, In every such case where the Estate is of less value then two thousand pounds of Tobacco as aforesaid there shall be paid to such person so appointed for such Letters of Administration or Letters Testamentary as aforesaid, the sum of fifty pounds of Tobacco & no more, any Law Statute or useage to the contrary hereof in any wise notwithstanding

Lib. L. I.
No. 1.
p. 20

June 2^d 1692
Assented to by the Councill
chamb^r

Signed p Ord^r
John Llewellyn Clk.

June the 2^d 1692
The house of Assembly have
Assented

Signed p Ord^r
Hen: Denton Clk.

An Act for settlement of an Anūall Revenue
upon their Majesties Gov^r within this Province
for the time being.

p. 21

Whereas by an Act of Assembly formerly made Entituled an Act for providing a Support for the Lord Proprietary of this Province & likewise a supply for the defraying the Publick charges of Gov^rment it was by the said Act Published and declared that from and after the first day of Septemb^r then next ensuing, there should be raised Leavyed collected and paid to the said Lord & Proprietary the sum of two shillings sterl for every hhd & Quantity of an hh^d of Tobacco which should be at any time thereafter shipt in any Ship or Vessell to be Exported out of this Province on Condition that his said Lord^p should receive his Rents and Fines for alienation of Land in good sound Merchantable Tobacco when tendred

- Lib. L. L. at the rate of two pence per pound for one moiety of the
 No. 1. imposition afores^d the other moiety by the said Act raised
 to be employed towards the Maintaining a Constant Maga-
 zine and defraying other publick & necessary charges of the
 Government. And whereas the freemen of this Prov^{ce} now
 assembled upon strict scrutiny made into the premisses, do
 find his said Lords^p hath not only been very defficient and at
 small charges and expence in maintaining a Magazine as
 aforesaid, but that this Province hath been oblieged to defray
 all publick charges arising for the support of Government by
 way of an equall assessment upⁿ the Inhabitants thereof, the
 severall provisoes in the afore recited Act to the contrary not-
 withstanding, And whereas also his said Lo^{pp} the aforesaid
 moyety of two shill p hh^d under pretext of maintaining a
 p. 22 magazine as aforesaid hath hitherto converted the same to his
 own use to the Impoverishing of the Country and defraud of
 the Publick and being now incapacitat^d of complying with what
 by the said Act for the said Moyety of two shillings p hh^d is
 required. Bee it therefore Enacted by the King and Queens
 most Excellent Majest^{ts} by and with the advice and consent of
 this present Generall Assembly and the Authority of the same,
 that the said one shilling p hh^d for the defraying the charges
 of Government aforesaid commencing from this present
 shipping as well for such ships or Vessells as have already
 cleared before the making of this Act as for such remaining
 in this Province be raised leavyed Collected and paid unto
 Our Sovereign Lord and Lady the King and Queens most
 Excellent Majesties their heirs and Successors for the support
 of their Governor for the time being in and over this their
 Maj^{ts} Province aforesaid and Territories to the same belonging
 for every hh^d or quantity of a hh^d of Tobacco which hath been
 for and during the time aforesaid, or which hereafter shall be
 at any time shipp'd in any ship or Vessel to be Exported out
 of this Province or any the Territories, Islands, Ports, Rivers,
 Creeks or places thereunto belonging as aforesaid And be
 it further Enacted by the Authority aforesaid, by and with the
 advice and consent aforesaid, that the said duty & Imposition
 shall be from time to time paid and satisfied by the Masters
 or Master of every such Ship or Vessel respectively in which
 any such Tobacco shall be Exported upon his or their clearing
 p. 23 and taking out his or their dispatch or dispatches for every
 such respective Ship or Vessel and before the departure of
 such Ship or Vessel coming into this Province shall at their
 first arrivall here and before their loading on board any
 Goods or Commodities of the growth production & manufac-
 ture of this Province, give good and sufficient security to his
 Exc^{lley} or to the Officer thereunto especially appointed for the

payment of the said duty or Imposition accordingly Provided Lib. L. L.
No. 1. allways and it is the true intent and meaning hereof, that this Act nor any thing herein conteyned, shall be adjudged construed reputed or taken to disanull or make void his Lordships Right to the other moyety of the said two shillings p^{hh}^d to be paid in consideration of his Rents and alienacōn money in Tobacco at two pence p pound during the terme of his naturall life (but that the same be kept & hereby preserved to his Lordship in as full and ample manner as by the said Law is expressed or intended or in the least to discharge his Lo^p for receiving the Rents aforesaid at 2^d p^l as by the said Act is enjoyned during also the terme of his naturall life nor to discharge his Lordship from accounting for the Arr^{rs} of one shil p^h^d for supporting of the Gov^{rm}^{ts} and finding Arms & Amunition, but th^t he be obliged to all the Matt^{rs} & things as fully and strongly as if the said Law were in full force. And be it further Enacted by the Authority aforesaid that every Master of a ship or Vessell as aforesaid at the time of his clearing, shall upon Oath declare the quality and quantity of his loading, and that the Navall Officer by the Governor aforesaid for the time being shall and is hereby impowered to administer the said Oath, and in case the said Master shall p. 24 refuse the said Oath or upon suspition of having goods on board for which he hath not cleared, it shall be Lawfull for the said Navall Officer to Enter on board any such ship or Vessell, the same to search for any such Goods as aforesaid any thing in this Act before mentioned to the contrary notwithstanding.

June 7th 1692.

Assented to at the Councill Board.

Signed p Order

W Taylard Clk Assist^t

June the 6th 1692

The house of Assembly

have assented

Signed p Ord^r

Hen Denton Clk.

An Act against Divulgers of false News.

Whereas many Idle and busy headed People do forge and divulge false rumours and Reports to the great disturbance of the Peace of Our Sovereign Lord and Lady the King and Queen and their liege people of this Province. Be it Enacted by the King and Queens most Excellent Majestys by and with the Advice and consent of this present Generall Assembly & the Authority of the same, that what person or persons soever shall forge or devulge any false reports tending to the trouble of this Province that he or they shall be by the next Justice of the Peace sent for & bound over to the next County or the Provinciaall Court where if the thing related be materiall and p. 25 that he produce not his Author being legally convict thereof,

Lib. L. L. he shall be fined two thousand pounds of Tobacco or less if
 No. 1. the Court shall think fitt to lessen it, and besides give bond
 wth security for his good behaviour if it appears to the Court
 that he did maliciously publish and invent the same. And be
 it further enacted by the Authority aforesaid that whosoever
 shall after the passing of this Act, Maliciously and advisedly by
 writing speaking or otherwise express publish or declare any
 words sentences or other thing or things to the defaming or
 scandall of their Majesties Govern^r or Comander in cheif for
 the time being and thereof legally convict shall be Imprisoned
 six months without bayle or main prize, and incurr such for-
 feitures as the Justices before whom such matter is Tryed shall
 adjudge not exceeding the sum of Ten thousand pounds of
 Tobacco to Our Sovereign Lord and Lady the King and
 Queen their heirs or successors for the support of Government
 And be it further Enacted that whosoever shall maliciously &
 advisedly by writing speaking or otherwise express publish
 utter & declare any words sentence or other things to the
 scandall of their Majes^{ts} Councillors Judges & Justices or
 other principall Officers in relation to their severall Office or
 Offices as afores^d being thereof legally convicted shall be
 Imprison'd during three months wthout bayle or main prize &
 incurr such Fine & forfeitures as the Justices before whom
 such matter is Tryed shall adjudge not exceeding the sum of
 five thous^d pounds of Tobacco to our Sov^aign Lord & Lady
 the King & Queen their heirs or success^{rs} &c^a any Act or
 Ord^r to the contrary notwithstanding. June the 4th 1692.
 June 4th 1692. Assented to by } The house of Assembly
 the Councill Board. } have assented.
 Sign'd p Ord^r } Signed p Ord^r
 John LLewellin Clk. } Hen: Denton Clk.

An Act for Naturalization.

Whereas nothing can contribute more to the speedy settling
 aud peopling of this their Majesties Province of Maryland
 then that all possible Encouragem^t should be given to persons
 of different nations to Transport themselves hither with their
 families and Stocks Be it therefore Enacted by the King and
 Queens most Excellent Majesties with the advice and consent
 of this present Gener^l Assembly and by the Authority of the
 same, That it shall and may be lawfull for the present Gov-
 ernor of this Province during the time of his continuing Gov-
 ernor by a Publick Instrument under the broad Seal thereof,
 to declare any alien or aliens forreigner or fforreigners being
 already settled or Inhabitants of this his Majesties Province, or
 such as shall hereafter come to settle plant or reside in it and

having taken the Oath of Allegiance before the Governor or Commander in Cheif to be to all intents and purposes fully and compleatly naturalized, and the said persons so approved of and named in the said Letters Patents as aforesaid, shall by vertue of this Act have and enjoy to them and their heirs the same Imunities and Rights of and unto the Laws and privileges of this Province, and as fully and amply as any of his Majesties naturall born Subjects have or Enjoy within the same, as if they themselves had been born within any of their Majesties Realms and Dominions any former Law Act Ordine^{ce} useage or Custom to the contrary in any wise notwithstanding. And to the intent the said Letters Patents and Instruments under the broad Seale of this Province as aforesaid, as may be obtained without any great difficulty or charge, Be it further Enacted that the Govern^r during his time of being Governor shall have and receive for the same the sum of three pounds sterling money and his Clerk for writing it Ten shillings and no more, and the severall Persons naturalized shall pay respectively Provided that nothing in this Act contained shall be construed to enable or give power or Priviledge to any forreigner to do or execute any Matter or thing which by any of the Acts made in England concerning his Majesties Plantations he is disabled to do or Execute

June 4 th 1692	Assented to by	}	June 4 th 1692	The house of
	the Councill Board.			Assembly have assented
	Signed p Ord ^r			Signed p Ord ^r
	John LLewellin			Hen: Denton Clk Assembly.

A Supplementary Act to the Act for settlement of an Anuall Revenue upon their Majesties Governor within this Prov^{ce} for the time being.

For the setling of an Anuall Revenue upon their Majesties Governor of this Province for the time being and untill such time as farther measures can be taken to bring the said Revenue to a greater certainty. Be it Enacted by the King and Queens Most Excellent Maj^{ts} by and with the advice and consent of this present Generall Assembly and the Authority of the same, that from and after the Tenth day of October next ensuing this present Sessions of Assembly, that three pence Sterling over and above the one shilling p hh^d on every hh^d of Tobacco be the same in Caske or in bulke that shall be Exported out of this Prov^{ce} be raised leavyed Collected and paid unto their Majesties their Heirs and Successors for the Support of their Governor of this Province for the time being in such forme and Manner as by the aforesaid Act for the one shilling p hh^d is limited and allowed, any thing in the

Lib. L. L. afore recited Act to the contrary notwithstanding. This Act
 No. 1. to endure for three years certaine.

4 th June 1692. Assented to	}	June the 4 th 1692. The house
by the Councill board		of Assembly have Assented.
Signed p Ord ^r		Signed p Ord ^r
John Llewellyn Clk	}	Hen: Denton Clk Assembly.

An Act for Securing the Rights of
 Severall Persons.

Whereas many and frequent complaints have been made by
 divers good People of this Province, who of late years have
 procured of the Lord Proprietary of this Province, warrants
 for the laying out and taking up severall quantities of Land
 within the same, and have past their Bond to his Lo^p accord-
 ing to his late Conditions of Plantations for the same and by
 vertue of their Warrants the severall Surveyors of this Prov-
 ince had before the Revolution of affairs within the same, sur-
 veyed and laid out pursuant to the said Warrants severall
 Tracts and parcells of Land for them or to their Assigns, and
 p. 29 either had returned the Certificate of the same unto the
 Examiner or had it in their hands ready to return before the
 revolution as aforesaid, but the same Certificate eith^r not
 arrived in the Land Office of this Province, or if the same was
 noe Pattents as yet for the same granted, and his Lordship
 having shut up the Land Office of this Province, and no Per-
 son being Qualified to Grant Patents for the same they and
 others in the like Condition are in great danger of loosing the
 benefit and Estate of and in their said Lands so laid out and
 Surveyed as aforesaid, in tender consideration whereof and for
 the prevention of such Evills and Inconveniencys within this
 Province your Majesties most dutifull and loyall Subjects the
 Burgesses & deligates of this present Generall Assembly on
 the behalf of the good People of this Province do humbly
 pray that it may be Enacted and be it Enacted by the King
 and Queens most Excellent Majesties by and wth the advice
 and consent of this present Generall Assembly and the
 Authority of the same, that any person or persons whatsoever
 being free Denizens and Subjects to the Crown of England,
 that at any time heretofore withⁿ the space of five years last
 past, had obtained of his Lordship the Lord Proprietary of this
 Province from himself or from any person by from or under
 him any Warrant or Warrants for any parcell or parcells of
 Land either of Resurvey or to be taken up within this Prov-
 ince, and by vertue of which any parcell or parcells of Land
 whatsoever was by any lawfull Surveyor or any County within
 this Province Surveyed and layed out at any time before the

Revolution of affairs before the Tenth day of July which was in the year of Our Lord 1689 and no Pattent as yet by his Lordship granted for the same, such person or persons by himself or his Attorney at any time within twelve months from and after Publication of this Law in the County where such Land lyeth as aforesaid, and producing to the Justices of the said County Court or a Certificate under the hand of such Surveyor as made the Survey of any parcell or parcells of Land as aforesaid, and proving the same by the Oath of such Surveyor if living, or by the book of such Surveyor or other Evidence if the Surveyor be dead, that the same parcell or parcells of Land was really and bonafide laid out and Surveyed for such person or persons by Warrants for the same before the Revolution of affaires in this Province in the year aforesaid and filing the said Certificate, and Oath in the Records of the said Court. It shall and may be Lawfull to such person or persons to have use occupy and Enjoy all such Lands and Tenements so laid out and surveyed as aforesaid. And it is hereby declared and Enacted that such person or persons shall have and Enjoy a pure and lawfull Estate of Inheritance in fee simple of in and to all parcell or parcells of Lands or Tenements according to the Conditions of Plantations upon which such warrants were granted as aforesaid, together with all priviledge grants and Imunities whatsoever incident appertaining or belonging to the same, although not in this Act so largely and particularly exprest as fully and absolutely as if a Patent from his Lordship had been granted for the same, any Law Statute or useage to the Contrary here- of in any wise notwithstanding And forasmuch as many persons having Purchased of his Lordship warrants for taking up of Lands within this Province and passed their obligations for the same as afores^d which obligations many of them are paid and many others ly out against them, and yet no Land taken up or Surveyed according to the Tenor of the said Warrants, and although his Lordship by his Officers appointed under him doth demand and require the Tobacco so due by the obligations as afores^d yet refuseth to renew such Warrants for such Lands so paid for or secured to be paid for Be it therefore Enacted by the Authority aforesaid by and with the advice and consent afores^d that any person or persons whatsoever having such warr^t or warr^{ts} in their hands and unexecuted as aforesaid, shall or may repair to his Lordships Agent Receiver Generall or other Person for such purpose Authorized and informe them of the same, and if thereupon such Recev^r Generall or Agent or other person Authorized as aforesaid, shall refuse to deliver up such obligation to such person or persons having such Warr^t or Warrants unexecuted as afore-

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No. 1.

P. 30

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Lib. L. L. said and delivering up the same, upon delivery of such Bond.
 No. 1. That then it shall and may be lawfull to such person or persons to Survey and take up by a Sworn Surveyor of the County aforesaid, any Lands not before taken up or otherwise reserved according to the Tennor of such warrant or Warrants and the Certificate thereof returned to the County Court with the proving and Recording the same as before in this Act is sett down and directed such person shall have and Enjoy a good sure firme Estate of Inheritance in fee Simple
 p. 32 as fully and Amply as before in this Act is Enacted and granted to such Persons who had Surveyed any Land before the revolution but had no Patent for the same, any Law Statute or useage to the contrary hereof notwithstanding

June 4th 1692

Assented to by the Councill

Board Signed p Ord^r

John Llewellyn Clk

June 2^d 1692

The house of Assembly have Assented

Signed p Ord^r

Hen: Denton Clk.

An Act for Appeals and Regulating Writts of Error

Forasmuch as the liberty of Appeals from the Judgements of County Courts is found to be of great use and benefit to the People of this Province Bee it therefore Enacted by the King and Queens most Excellent Majesties by and with the Advice and Consent of this Gen^l Assembly and the Authority of the same, That no Execution upon any Judgement in the County Courts or other inferiour Courts of Record in this Province, shall be stayed or delayed or any supersedeas upon such Judgement granted or sued forth upon any appeal from
 p. 33 any such Court or Courts of Record as aforesaid to the Provinciaall Court of this Province in any Action whatsoever unless such person or persons in whose name or names such appeale shall be made or some other on his or their behalfe shall imēdiatly upon making such appeal enter into Bond with sufficient surety or suretys (such as the Court where such Judgement shall be given shall allow & approve of) to the party for whom any such Judgement is or shall be given in the penalty of double the same adjudged to be recovrd by such Judgement of such County Court or other inferior Court from whom the said appeal shall be made with condicōn that if the party appealeant shall not pursue the directions of this Act hereafter mencōned at the Provinciaall Court then next ensuing according to the Rule of the Provinciaall Court and prosecute the same with effect, and also satisfy and pay to the said party his heirs Executors Administrators or Assigns in case the said

Judgement shall be affirmed as well all and singular the debts damages and Costs adjudged by the Judgement, as also all Costs and damages that shall be awarded at the Provinciaall Court for the same delaying Execution then the said Bond to stand in full force and Vertue And Whereas it hath been found of ill consequence to this Province that no Provision hath been made for the limitation of Appeals from the severall & respective Counties to the Provinciaall Courts. Bee it therefore Enacted by the Authority aforesaid by and with the advice and Consent aforesaid that no person or persons whatsoever against whom any Judgem^{ts} shall be given in any County Court within this Province, wherein the debt or damages, for which such Judgement shall be given as aforesaid, doth not amount to or exceed the sum of twelve hundred pounds of Tobacco shall be allowed any appeal but such Judgement by the Justices of the County Court so given and entred as aforesaid shall be diffinitive for any debt or damages under the sum afores^d any Law Statute or useage or Custome to the contrary notwithstanding. And whereas also by the Law of England there is no rules prescribed for the Prosecution of Appeals (being not altogether agreeable to the Practice of the same Law) yet being found necessary and convenient for the good of this Province as aforesaid Bee it therefore Enacted by the Authority aforesaid that the Method and Rule for prosecution of such Appeals as aforesaid shall for the future be in manner & forme Expressed (that is to say) the party appealeant shall procure a Copy or transcript of the full proceedings of the said Court from whence such appeal shall be made under the hand of the Clerk of the said Court and the Seal of the said Court, and shall cause the same to be Transmitted to the Provinciaall Court the next ensuing, and shall also at the same Provinciaall Court file in writing according to the Rules of the Provinciaall Court such Error in the said Proceedings as he shall think fitt to Assign or such Causes or reasons as he had for making the said Appeale. Whereupon and upon the said Transcript the Provinciaall Court shall proceed to give Judgement as in Cases of Writts of Error is usuall Provided this Act shall not extend to barr any Person or Persons from suing out Writt or Writts of Error according to due Course of Law but that every such person or persons shall be left to their Elections whether they will bring a writt of Error or sue out an Appeal as aforesaid Provided also that every person or persons that shall sue out any writt of Error or supersedeas in any case whatsoever shall before such Writt of Error or supersedeas be Issued enter into bond wth the penalty of double the same adjudged to be recovered by the former Judgem^t of the Inferiour Court before the Chancellor or Sec-

Lib. L. L.
No. 1.

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No. 1.

retary of this Province for the time being, with sufficient suretys or securities to prosecute such Writt of Error with Effect, And in case the said former Judgement shall be Affirmed, to pay and Satisfy as well and singular the debts damages & costs adjudged by the said former Judgement of the Inferior Court, as also all Costs and damages as shall be atwarded by the superior Court where such writt of Error is returnable. And be it further Enacted by the Authority aforesaid, that all and every appeals made in manner aforesaid from henceforth by the Provinciaall Court of this Province shall be admitted and allowed of in nature of a Writt of Error. And be it further Enacted by the Authority aforesaid that all and every Clerk and Clerks of the respective County Courts or other Inferior Courts of this Province shall be and is hereby oblieged at the time of such Courts sitting when any appeal shall be demanded to enter a mention of such demand as well in his or their Journall as in the fair Record of the Proceedings of such Court or Courts, And that no Clerk or Clerks of any County Court or other Inferior Court of record of this Province for the future refuse or delay upon the request of any such appealeant to write & make out Transcript or Transcripts of such proceedings as aforesaid, under his hand and Seal of the said Court as aforesaid, upon penalty to pay the respective

p. 36 damage and damages which such person or persons shall sustain by such refusall or delay as aforesaid, the party Appellant paying or securing such respective Clerk his just Fees for the same according to Law. And be it further Enacted by the Authority aforesaid that no Officer or Officers within this Province shall hereafter for any Writt of Error supersedeas or Scire facias to hear Judgement upon Error from the Provinciaall Court of this Province to any County Court or other inferior Court of this Province, receive or demand any other fee or fees then is hereafter mencōned, (that is to say) for a writt of Error to the Secretary fifty pounds of Tobacco, and to the Chancell^r for the seal thereof 120^{lb} of Tobacco, for a supersedeas to the Secretary fifty pounds of Tobacco, and to the Chancellor for the seal thereof 120^{lb} Tobacco, for a Scire facias to the Secretary 50^{lb} Tobacco and to the Chancellor 120^{lb} Tobacco and no more any Act heretofore made or any Law useage or custom to the contrary in any wise notwithstanding.

June 4th 1692

Assented to by the Councill Board

Signed p Order

John Llewellyn Clk

June 2^d 1692

The house of Assembly

have Assented

Signed p Order

Hen: Denton Clk.

An Act for the easment of the Inhabitants of
this Province in suits at Law for small debts.

Lib. L. L.
No. 1.
p. 37

Whereas the Inhabitants of this Province have been much grieved molested and troubled by being forced by Provinciaall Writts to appear at the Provinciaall Courts and fee Attorneys there notwithstanding the debts sued for are very small and within the cognizance of the County Courts of this Province, for prevention whereof for the future Be it Enacted by the King and Queens most Excellent Majesties by and with the advice & consent of this present Generall Assembly and the Authority of the same, that from & after the Publication hereof, no accōn for a book debt or plain bill for or under the sum of fifteen hundred pounds of Tobacco & Cask shall be prosecuted or comēced against any Inhabitant of this Province in the Provinciaall Court, except only upon Appeals from the County Courts of this Province and Attorneys of the Provinciaall and County Courts for their fees only where they are Attorneys, and that no Attorney of the Provinciaall Court shall be allowed any priviledge to debarr him from being sued in the County Court where he lives And be it further Enacted by and with the advice and consent aforesaid that if any person Plaintiff shall commence or prosecute any suite or plaint in the Provinciaall Court of this Province for or under the sum fifteen hundred pounds of Tobacco & Caske in manner and forme as aforesaid, shall suffer a non suite and pay such Cost to the Debt as are usually granted by the Provinciaall Court of this Province.

And be it further Enacted by the Authority aforesaid that an Account Sworn to by the Plaintiff or a Bill proved by his Evidence before any Justice of the Provinciaall Court or any two Justices of the County Court within this Province shall be sufficient Evidence to prove the said Debts in any County Court within this Province Provided always that the Party who shall swear or give evidence as aforesaid before one Justice of the Provinciaall Court or two Justices of any County Court to prove any Debt as aforesaid shall at the same time declare upon his Oath whither he knows of any payment or discount of any part or parcell of the account or Debt so to be proved, which shall be Certified under the hand or hands of such one Justice of the Provinciaall Court or two Justices of the County Court before whom the said Account or debts shall be proved which Certificate made an signed as aforesaid shall be taken and received as Sufficient proof of any such debt or account as aforesaid p. 38

And be it further Enacted by and with the advice & consent aforesaid that if any defendant upon Tryall can prove either

Lib. L. L. by such Certificate as aforesaid or other sufficient proof that
No. 1. there is any sum of Tobacco paid to the Plaintiffe or his order
in part of the Debt or Account sued for or due from the
Plaintiff the County Court before whom such Tryall is had,
may cause the same to be discounted in Court and give
Judgem^t thereupon agst the Dep^{ts} for so much onely as shall
be remaining due to the plantiff wth Cost of suit

June 2^d 1692

Assented to by the Councill Board
John Llewellyn Clk.

June the 2^d 1692

The house of Assembly
have assented

Signed p Ord^r
Hen: Denton Clk.

p. 39

An Act for the due Recording of all the
Laws in this Province in the Secretarys Office.

The Governor and Councill Burgesses and Delegates of
this p^rsent Generall Assembly taking into their serious con-
siderations the great danger and inconveniencies that hereto-
fore have and hereafter may happen by the carelessness &
negligence of the Laws of this Province by neglect of the
severall officers and ministers of this Province in suffering the
same to ly in loose Papers and unrecorded for prevention
whereof for the future Bee it Enacted by the King and
Queens most Excellent Majesties by and wth the Advice and
Consent of this present Generall Assembly and the Authority
of the same, That the Secretary of this Province in whose
custody the Records of this Province remain, do at or before
the Tenth day of September next enſuing cause all such Acts
of Assembly and Laws of this Province as shall be of force at
the end of this present Sessions of Assembly to be Entred
upon Record in a large new Book of a large folio and good
Substantiall paper well bound in a leather Cover for that pur-
pose, to be kept only in the Secretaries Office in a fair and
leagable sett hand and Charrecter, and shall also cause the
same to be Examined by the Originall Acts remaining upon
Record under the hands of the severall Clerks of the
Assembly, and the Cheif Governor of this Province for the
time being his Assent made thereunto at the End of the last
Sessions of Assembly, and the same so Entred shall be sealed
with the lesser seal and signed by the hon^{ble} the Secretary,
and that his hon^r the Secretary do also cause a list and Cata-
logue of the said Laws to be Entred in the said Book and an
p. 40 Index or Table of the Principall matt^r therein conteined to be
made alphabettically for the more easy & ready finding out the
Matters therein conteyned, and in default thereof by the time
aforesaid, the said Secretary shall Pay as a fine for the same,

the sum of Ten thousand pounds of Tobacco, one half thereof to their Majesties for support of the Government the other half thereof towards the building of a place to secure the Records, and when the same is so written and done the said Secretary shall at the next Generall Assembly be allowed and paid out of the Publick Leavy, so much Tobacco as the said Secretary shall reasonably*deserve.

Lib. L. L.
No. 1.

June 2^d 1692.

June 2^d 1692

Assented to by the Councill Board.

The house of Assembly

Signed p Ord^r

have assented

John Llewellyn Clk.

Signed p Ord^r

Hen: Denton Clk.

An Act ascertaining what damages
shall be allowed upon Protested Bills of
Exchange.

Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and Consent of this present Generall Assembly and the Authority of the same that there shall not be allowed to any Person or Persons whatsoever having just cause to implead any person or persons whatsoever living or residing within Province in any Court within this Province upon any Bill of Exchange drawn from any sum or sums of money whatsoever payable in England or else where and brought in here protested more then the sum of twenty pounds p Cent damages over and above the debt sued for & recovered together with ordinary Costs of suite, any Law Statute useage or Custome to the Contrary notwithstanding, this Act to Endure for three years, or to the end of the next Generall Assembly which shall first happen

June 2^d 1692

June 2^d 1692

Assented to by the Councill Board

The house of Assembly

Signed p Ord^r

have assented

John Llewellyn Clk

Signed p Ord

Hen: Denton Clk.

An Act for quieting of Pōssions.

Forasmuch as a good and beneficiall Law Entituled an Act for quieting Possessions was made the seven and twentieth day of March in the year of Our Lord one thousand six hundred seaventy and one in this Province, which by the use thereof hath been found very much conducing to the benefitt of the people of the said Province Bee it therefore Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Gener^{ll} Assembly and

Lib. L. L. the Authority of the same, that all sales gifts and grants at
 No. 1. any time before the said seaven and twentieth day of March
 p. 42 in the year of Our Lord 1671 and not after of any Lands
 Tenements or heriditaments within this Province by any
 person or persons whatsoever that right had to sell give or
 grant such Lands Tenements or hereditaments made by
 writing only with or without Seale shall forever hereafter be
 accounted good and available in Law to bar the heirs and
 Executors of such Vendors donors or grantors any Error in
 the forme only of such writing to the contrary notwthstanding.
 And forasmuch as divers assignments of Patents written on
 the backside of such Patents for Land are now worne out, and
 also many other sales in paper either worn out or quite lost,
 for which the purchase money hath been bonafide paid Bee it
 further Enacted by the Authority aforesaid by and with the
 Advice and Consent aforesaid, that all sales gifts or grants
 at any time before the day and year aforesaid made by persons
 that Right had as aforesaid if either the sale gift or grant or
 payment bonafide can be proved by witness, such sale shall
 for ever hereafter be accounted good and availeable in Law to
 barr the heirs and Executors of such Vendors Donors or
 Grantors or other persons claiming Dower from such Vendor
 Donor or grantor any Law useage or custom to the contrary
 hereof notwithstanding

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk	Signed p Ord ^r
	Hen: Denton Clk.

An Act for the Publication of Marriages.

Bee it Enacted by the King and Queens most Excellent
 Majesties by and with the Advice and consent of this present
 Generall Assembly & the Authority of the same, That all per-
 sons who shall desire marriage shall apply themselves either
 to a Minister Pastor or Magistrate for the contracting thereof
 And be it further Enacted by the Authority aforesaid, that all
 persons within this Province intending marriage shall make
 Publication thereof either at the Church Chappell County
 Court or meeting house next where they dwell, and that at
 such a time as such Church Chappell or meeting house shall
 be full and thereby Capeable to take Cognizance thereof, and
 that it shall and may be lawfull upon such Certificate had from
 the Minister Pastor or County Court when such Publication
 shall have been made of three weeks after the said Publication
 for either Minister Pastor or Magistrate to joyn in Marriage

such persons as aforesaid, and if any Person shall presume to contract Marriage without such Publication made and Certificate thereof had as aforesaid or without particular Lycence from the Governor for the time being, do privately within the limitts of this Province contract Marriage, every person soe Contracted or marryed shall be lyable to a ffine of one thousand pounds of Tobacco, and every such Minister Pastor or Magistrate Joyning in Marriage any persons without such Publication or Lycence or any wayes infringing this Act shall be lyable to a Fine of five thousand pounds of Tobacco, the one half of the said Fines to our Sovereign Lord and Lady the King and Queen their heirs and Successors for the Support of Government, and the other half to the Informer to be recovered by Bill plaint Action of debt or Information in any Court of Record wherein no Essoyn Protection or wager of Law to be allowed And be it further Enacted that all such marriages as shall not be made and Cellebrated before some Minister Pastour or Magistrate with five sufficient wittnesses at least according to the forme aforementioned shall and are thereby declared Null and Voyd And be it further Enacted by the Authority aforesaid, that all Ministers Pastors and Magistrates who according to the Law of this Province do usually joyn People in Marriage, shall joyn them in manner and forme as is sett down & Expressed in the Liturgy of the Church of England & w^{ch} being finished the Minister Pastor or Magistrate shall say I being hereunto by Law Authorized do pronounce you lawfull man and wife And be it further Enacted by the Authority aforesaid, that the Minister Pastor or Magistrate by virtue of this Act, are impowered to ask demand and receive from the parties so married or joyned together the sum of one hundred pounds of Tobacco.

June 2^d 1692

Assented to by the Councill Board.

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly
have Assented.

Signed p Ord^r

Hen: Denton Clk.

An Act Relating to servants & slaves.

p. 45

Whereas there have been severall Acts provid^{ed} against servants runaways which have hitherto proved ineffectuall in regard they do not sufficiently provide Encouragem^t for such person or persons Inhabitants of this Province as shall seize such runawayes servants by this Act deemed runaways Therefore for the better discovery seizing and Apprehending of such runaways, Bee it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent

Lib. L. L. of this Generall Assembly and by the Authority of the same.
 No. 1. That from and after Publication hereof no Servant or Servants whatsoever within this Province whether by Indenture or according to the custome of the Countrey or hired for wages shall travell by Land or water ten miles from the house of his her or their Master Mistress or dame without a note under their hands or under the hand of his her or their overseer (if any be) under the penalty of being taken for a Runaway, And to suffer such penalties as are hereafter provided against runawaies And it is hereby further Enacted by the Authority aforesaid That any such Servant or Servants as aforesaid unlawfully absenting him her or themselves from his her or their said Master Mistress or dame or overseer shall serve ten days for every one days absence to be judged when such Master Mistress or dame shall bring their said servants before the Justices of the Provinciaall Court or County Court, where the owner Master M^{rs} or dame or overseers of such servants shall live during the sitting of the Court, be it before or after the Expiraⁿ of such servants first time of service by Indenture or otherwise And be it further Enacted by the Authority aforesaid That any person or persons whatsoever That shall wittingly and willingly deteyn any such Servant or Servants unlawfully absenting him her themselves as aforesaid shall be p. 46 fined five hundred pounds of Tobacco for every night or four and twenty houres that such person or persons shall give Entertainm^t to such Serv^t or Servants unlawfully absenting him her or themselves as aforesaid, The one half to their Majes^{ts} for the support of the Government, and the other to the Informer or him that shall sue for the same, to be recovered in any Court of this Province by Action of debt bill plaint or Informatⁿ wherein no Essoyn protection or wager of Law be allowed. And for the better discovery of Runawaies. It is hereby further Enacted by the Authority aforesaid, That any person or persons whatsoever within the Province Travelling out of the County where he she or they shall live or reside without a Pass under the seale of the said County for which they are to Pay ten pounds of Tobacco or one shilling in money, such person or persons if apprehended not being sufficiently known or able to give a good account of himself to be left to the discretion and Judgement of such Magistrate before whome such person as afores^d shall be brought to Judge thereof, And if before such Magistrate or Magistrates brought shall be deemed and taken as a runāway shall suffer such Fines and penalties as is hereby provided against runawayes And for the better encouragement of all persons to seize and take up such runawaies It is Enacted by the Authority aforesaid that all and every person or persons aforesaid apprehendg

seizing or taking up such runaweyes travelling without passes as aforesaid and not be able to give a Sufficient Acco^t of themselves as aforesaid shall have and receive two hundred pounds of Tobacco to be paid by the owner of such runaway so apprehended and taken up if a servant, and if a freeman and refusing to pay the same, then to make satisfaction by servitude or otherwise as the Justices of the Provinciaall or County Court where such person shall be apprehended and taken up shall think fit And further for the better discovery and Encouragement of our neighbour Indians to seize and apprehend Runawayes It is further hereby Enacted That any Indian or Indians that shall apprehend seize or take up any Runaway servant and bring him before some Magistrate of any County within this Province shall for a Reward have a Match Coat paid him or the Value thereof, which said Reward is to be repaid and satisfied by the County where such person shall be apprehended, and such Runaway to reimburse the said County by servitude or otherwise as the Justices of the Provinciaall Court or County Court shall think fitt. And be it further Enacted by the Authority aforesaid that at what time soever any of the said persons runawayes shall be seized by any person or persons within this Province, such person or persons so seizing or apprehending the same shall bring or cause him or them to be brought before the next Magistrate or Justice of the County where such runagate is apprehended who is hereby Impowered to take into his Custody or otherwise him her or them to secure or dispose as he shall think fitt untill such person or persons seized or apprehended shall give sufficient security to answer the premisses the next Court that shall first ensue in the said county who is also to secure such person or persons till he or they can make satisfaction to the party who shall so apprehend or seize such runaway or other person as by this Act is required Except such person shall make satisfaction as aforesaid before such Court shall happen, And that notice may be given to the Master Mistress or dame or overseers of any runaweyes taken up as aforesaid, the Justice of the Peace or Commiss^{rs} of the County shall forthwith cause a note of the Runaways name so seized or apprehended as aforesaid to be sett up at the County Court where such person is seized or apprehended as aforesaid And also cause a note to be set up at the next adjacent County Court And at the Provinciaall Court or Secretaries Office that all Persons may view the same and see where such their Servants are and in whose Custody And furthermore for the better ascertaining what each servant according to the custome of the Countrey shall have at the Expiration of the time of their servitude

Lib. L. L.
No. 1.

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- Lib. L. L. Be it Enacted by the Authority advice and consent aforesaid
 No. 1. That every man servant shall at such time of Expiration of his servitude aforesaid, have allowed and given him a good Cloath suite either of Kersey or broad Cloath a Shift of white Linnen to be new, one new pair of shoes and stockins, two hoes one Ax and three barr^{ls} of Indian Corn, all women Servants at the time of the Expiration of their Servitude as aforesaid shall have allowed and given her the like Provision of Cloaths and Corn as aforesaid, And to the intent That many great mischeifs and inconveniencies arris^g and accrewing to divers good People of this Province, by the Transporting and carrying or Conveying away or cause to be Transported carryed or conveyed away out of this Province, any Inhabitant within this Province whether master or freeman not thereunto Lawfully Lycenced or any Apprentice hired or other servant or slave may for the future be prevented Bee it further Enacted by the Authority
- p. 49 aforesaid, That every person or persons that shall so Transport carry or Convey away or cause to be Transported Carryed or Conveyed away out of this Province any Inhabitant of this Province, That is or shall be indebted or Engaged and then not having a Sufficient Lycence or Pass according to the Law of this Province in that Case made and Provided shall be lyable to satisfy all such Debts Engagements or damages as the said Person or Persons so Transported Carried or conveyed away should be lyable to Satisfy to any Persons to whom the same shall be respectively due in this Province unless the same be otherwise satisfied in convenient time or that in short time he cause or procure such person or person so carried and conveyed away to return again into this Province whereby he may be lyable to Justice here, And any person or persons whatsoever that shall from henceforth enter and Transport carry or privately convey away out of this Province any apprentice hired or other servant or slave belonging to any Inhabitant in this Province shall for every such offence forfeit and pay to the Employor or owner of such Apprentice hired or other servant or Slave Treble damages and Costs to be Judged by the Justices of each respective County Court or the Justices of the Provinciall Court for the time of such Apprentices hired or other servants or Slaves unlawfully transported or carried away as aforesaid And whereas many and great Inconveniencies have happened and accrewed unto many mast^{rs} M^{rs} or dames within this Province by the wickedness and infidelity of their Servants purloining their masters Mistresses or dames goods and then bartering selling and
- p. 50 conveying away the same unto seamen and others where Masters and Mistress's of Families are and have been very much damnified and abused, for the prevention of the like

misdemeanor for the future Be it further Enacted by the Authority aforesaid, That no person whatsoever shall Trade Barter Commerce or any wayes deal with any servant whether hyred or Indented or slave belonging or appertaining to any Inhabitant in this Province without leave or Lycence first had and obtained from such servants Masters Mistresses or Dame or overseer for his so doing under the penalty of two thousand pounds of Tobacco, the one half thereof to their Majes^{ts} for the support of Government, the other half to the Master Mistress or true owner of such Goods so purloyned barter'd or Conveyed away when proved by sufficient witnesses or Confession of the party to be recovered in any Court of Record in this Province, by Action of debt bill plaint or Information wherein no Essoign protection or wager of Law to be allowed.

And be it further Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid That if the Goods so Traded or barter'd for as aforesaid shall exceed the sum of one thousand pounds of Tobacco that then the Party or Parties whose goods shall be Embezled or Barter'd away as aforesaid, shall have his Action at Law for his damages sustained against the person or persons so dealing or bartering for the same anything in this Act to the Contrary hereof notwithstanding And forasmuch as disputes have formerly arose at what time servants time of Servitude, whether by Indenture or otherwise should commence, for the better Explanation whereof for the future Be it Enacted by the authority aforesaid That all servants Transported into this Province whether by Indenture or otherwise the time of such servant so bound or adjudged as aforesaid shall commence from the first Anchoring of the Vessell within this Province any Law useage or custome to the contrary notwithstanding And in case such person or p^rsons so Trading or Bartering as aforesaid shall not be able to satisfy the same then such person or persons shall be bound over by some one Justice of the Peace and put in security either to appear at the Provinciaall or County Court Where upon conviction by Confession or Sufficient witnesses, the offender shall be punished by whipping on the bare back with thirty stripes.

And for the just ascertaining and limitting of Servants time or Servitude Be it Enacted by and with the advice Consent and authority aforesaid that whatsoever shall Transport any servant into this Province any servant without Indenture, such Servant being above the age of one & twenty years shall be oblieged to serve the full space and Term of five years if between Eighteen and two and twenty years without Indentures six years, If between fifteen and Eighteen without Indentures seaven years, If under fifteen without Indenture shall serve till he or they arrive to the Age of two and twenty

Lib. L. L.
No. 1.

P. 51

Lib. L. L. years And be it further Enacted That all servants Trans-
 No. 1. ported out of Virginia into this Province shall compleat their
 times of Servitude which they ought to have served in Virginia
 & no more And be it further Enacted that every Master
 Mistress or Dame assignee or Trustee of what kind soever,
 p. 52 owning or keeping any such Servant as aforesaid, whether by
 virtue of Transportation purchase or otherwise shall within
 six months after the receiving of such Servant into their
 Custody within this Province (except he she or they claim but
 five years Service of such Servant) being the said Servants to
 the respective County Courts where they do Inhabit, and
 every of the said Courts are hereby Authorized to Judge and
 determine of the Ages of such Servants so brought and cause
 the same to be Entred upon Record And every owner as
 aforesaid neglecting or refusing to bring such Servant or
 Servants before the Court as aforesaid shall not only stand to
 the determination of the Court, but also forfeit the sum of one
 thousand pounds of Tobacco to the King and Queen for the
 support of Government for depriving the County Court of
 their oppertunity of veiwing the party And if any Master
 M^{rs} or Servant aforesaid be grieved with the determination of
 the Court, he shall within the time determined for their service
 produce an Authentick Certificate of such Servants age, and
 shall have remedy at the Ages afore And be it further
 Enacted by the Advice Consent and authority aforesaid, That
 no Indenture made by any Servant during the time of Service
 due by former Indenture or by determination according to the
 Tenor of this Act, shall any wise oblige any Servant for any
 longer time then by his first Indenture or determination of the
 Court shall be limited and app^d

Provided that this Act nor any thing therein contained shall
 p. 53 not give or be Construed to give any benefitt to any slave
 whatsoever Provided this Act nor any thing therein contained
 Repeal or be construed to Repeal an Act made at the Generall
 Assembly the thirteenth day of Aprill one thousand six hun-
 dred seaventy four, Intituled an Act concerning Servants that
 have bastards, And for Encouragement of Our neighbouring
 Colonies of Virginia Dalaware and the Northern Parts of
 America, for the taking up of Servants and Runaways out of
 this Province into those Parts Be it further Enacted by the
 advice Consent and Authority aforesaid, That the sum of
 four hundred pounds of Tobacco shall from henceforth be
 allowed and paid to any Person in these Colonies of Virginia
 Delaware and the Northern parts of America that shall so
 seize or take up such Servants or others runaways and Carry
 and Cause them to be Carried before some Magistrate of any
 County of this Province, upon whose Certificate of Delivering
 of such Servants Runaway's the said sum of four hundred

pounds of Tobacco, to be paid or secured to be paid by the Master Mistress or Dame to whom such Servant shall of right belong or apperteyne. And the said Servant to reimburse the said Master Mistress Dame or owner by servitude or otherwise, to the full Satisfaction and Content of the said Master Mistress Dame or owner But if the runaway so taken up and delivered by the Magistrate as aforesaid be a free man, then such Runaway to be Imprisoned till such time as he hath made satisfaction of the said sum of four hundred pounds of Tobacco, or shall give good security for the same or shall make satisfaction by servitude or otherwise. Provided that any Servant that runs away out of Somersett County into Accomack such person that take him up, shall have but two hundred pounds of Tobacco and no more And whereas some Masters Mistresses and Overseers void of humane pittie & Christian Comission have barbarously dismembred and Cauterized their Slaves not only to the Scandall of Christianity, but by such Cruelties keep them from Embracing the same Be it therefore Enacted by the Authority aforesaid by and with the advice and Consent aforesaid That if any Master Mistress or overseer with the privy consent or procurement of such Master or Mistress as aforesaid, shall after this Act dismember or Cauterize any such Slave, it shall be lawfull for the Justices of the County Court upon proof thereof to manumitt and set free such slave to all intents and purposes whatsoever. And in case any Master Mistress or overseer with the knowledge and consent of such Master or Mistress as afore mentioned shall deny sufficient meat drink Lodging and Cloathing or shall unreasonably burthen them beyond their strength with labour or deny them necessary rest and sleep, be it to any English Servant or Slave, It shall be lawfull in such Cases upon due proof thereof to the Justices of the County Court for the first & second Offence, to Fine the said Master Mistress or overseer as to them shall seem meet, and for the third offence to sett them free from their said servitude And whereas Thomas Courtney of St Maries County hath lately most barbarously dismembred and cutt off both the Ears of a certain Mollattoe girl called being a Servant according to a Law of this Province for one and thirty years Be it therefore further Enacted That the said Mollattoe Girl for the reasons and Causes aforesaid be hereby Manumitted and sett free from her said Master as a recompence for the Injury so of him received as aforesaid

June 4th 1692.

Assented to by the Councill Board
Signed p Ord^r
John Llewellyn Clk.

June 2^d 1692

The house of Assembly
have Assented
Signed p Ord^r
Hen: Denton Clk.

Lib. L. L.
No. 1.

p. 54

p. 55

Lib. L. L.
No. 1.An Act for Punishment of Persons
Suborning of Witnesses or Comitting wilfull
and corrupt Perjury.

Whereas severall persons void of grace and the dread of the Almighty have and do still continue for small proffitts accrewing to themselves to Committ wilfull and Corrupt Perjury or cause or procure the same to be Committed either out
 p. 56 of a design for the reasons and purposes aforesaid or meerly to revenge an Imaginary Injury done them to the great prejudice of divers of their Majesties loyall Subjects Inhabiting within this Province And forasmuch as the Laws for this Province heretofore made for the prevention of the like mischeifs and Inconveniencies have upon a Mature and deliberate consideration by this present Gen^l Assembly been found altogether inconsistent with the Constitution of this Province or the Laws of England in such Cases made and provided Be it therefore Enacted by the King and Queens most Excellent Majestys by and with the advice and Consent of this present Generall Assembly and the Authority of the same, That if any person or persons whatsoever from and after the publication hereof, shall unlawfully or Corruptly procure any witness or witnesses by letters rewards promisses or by any other sinister unlawfull Labour or means whatsoever to Committ any wilfull and Corrupt perjury in any matter or Cause whatsoever now depending or which hereafter shall depend in suit and variance by any writt Action bill Complaint or Information in any wise touching or concerning any Lands Tenem^{ts} or hereditaments or any goods Chattles debts or damages in any of the Courts of Record within this Province, or that shall unlawfully & Corruptly procure or suborne any witness or wittnesses from and after the publication aforesaid be sworn to testify in perpetuam rei memoriam, That then every such offender or offenders shall for his or their said offence being
 p. 57 thereof Lawfully Convicted or attainted loose & forfeit the sum of forty pounds sterl And if it happen any such offender or offenders so being Convicted or attainted as aforesaid shall not have goods Chattles Lands or Tenements to the Value of forty pounds as aforesaid, Then every such person or persons so being Convicted or Attainted as aforesaid shall for his or their said offence Suffer Imprisonm^t for and during the space of one whole year without baile or main prize and stand upon the Pillory one whole hour at the Pillory next adjoyning the place where he she or they shall be Convicted as aforesaid. And be it further Enacted by the Authority aforesaid, That no person or persons being Convict or attaint as aforesaid shall be from thence forth received as a Witness to be deposed

and sworn in any Court of Record within this Province untill such time as the Judgement given against the said person or persons be reversed by attaint or otherwise, and that upon every such reversall the pties grieved to recover his her or their damages against all and every such person or persons as did procure the said Judgement so reversed to be given against them or any of them by Action or Actions upon his her or their Case or Cases according to the Co^mon Course of the Laws of this Province And be it further Enacted by the Authority aforesaid, That if any Person or Persons after the publication hereof, either by subornation unlawfull procurement Sinister perswasion or means of any other or by their own Act Consent or Agreement wilfully and Corruptly Co^mitt any manner of wilfull Perjury by their deposic^on in any Court of Record in this Province as aforesaid, or being Examined in perpetuam rei memoria That then every person and persons so offending and being thereof duly Convicted or attainted by the Laws of this Province shall for his or their said offence loose and forfeit twenty pound sterl and suffer Imprisonment the space of six months without baile and main prize And the Oath of such person or persons so offending from thence forth not to be received within any Court of Record within this Province untill such time as the Judgement given against the said person or persons shall be revers'd by attaint or otherwise as aforesaid. And that upon every such reversall the partys grieved to recover their damages as aforesaid. And if it happens that the said Offendor or Offendors so offending shall not have Goods and Chattles to the Value of twenty pounds That then he she or they be sett on the Pillory next adjoyning to the place where he she or they shall be Convict as afores^d and to have both Ears nailed and be from thenceforth to be discredited and disabled for ever to be sworn in any the Courts of Record aforesaid untill such time the said Judgement be reversed, upon which he she or they shall recover his her or their damages in manner and form as is before menc^oned. The one Moiety of all the said Fynes and forfeiture to be Our Sovereign Lord and Lady the King and Queen for the Support of Gov^{rmt} and the other Moiety to such person or persons as shall be grieved hindred or molested by reason of any the offence or offences before menc^oned that will sue for the same by Action of debt bill plaint or Information or otherwise in any Court of Record within this Province wherein no Essoyn protection or Wager of Law shall be allowed, And be it further Enacted by the Authority aforesaid, that if any person or persons upon whom any Process out of any the Courts of Record within this Province shall be served to Testify or depose concerning any Cause or Matter

Lib. L. L.
No. 1.

p. 58

p. 59

Lib. L. L. depending in any of the same Courts relateing to the prem-
 No. 1. isses And having tendered unto him or them according to
 their State or Calling such reasonable sum̄s of Money or
 Tobacco for his or their Costs and Charges as having regard
 to the distance of the place in that behalf is necessary to be
 allowed do not appeare according to the Tenor of the said
 Process having not a lawfull reasonable lett or Impediment to
 the Contrary, That then the party or parties so making default
 shall forfeit and loose for every such Offence ten pounds Sterl
 and to yeild to the party grieved such further recompence as
 by the discretion of the Judge of that Court out of the which
 the said process shall be awarded according to the loss and
 hindrance that the party which procured the said Process shall
 susteyn by the reason of the non appearance of the said Wit-
 ness or Witnesses. The said severall summs to be recovered
 by the Party so grived against the Offendor or Offenders by
 p. 60 Action of Debt bill plaint or Information in any their Maj-
 esty's Court of Record in this Province wherein no Essoyn
 Protection or Wager of Law to be allowed

June 4th 1692

Assented to by the Councill Board

Signed p Ord^r

John Llewelin Clk.

June 2^d 1692

The house of Assembly
 have Assented

Signed p^r Order
 Hen: Denton Clk.

An Act for the fourteen pence Tunnage.

Whereas by an Act of Assembly formerly made Intituled an
 Act for & Port Dutyes and Masters of Ships amongst other
 things therein conteined it was Enacted that all Vessells what-
 soever not properly belonging to this Province having a Deck
 flush fore and Aft coming in and Trading within this Province
 should pay for Port dutys or anchorage half a pound of Powder
 and three pounds of shott or so much in value for every Tun
 of burthen unto the Lord Proprietary and his heirs And
 whereas the said Act is altogether silent for what use the said
 p. 61 Imposition hath been ever since levyed and raised, Whereby
 the true intent of the said Law hath been hitherto unknown
 to the great dissatisfaction of the good People of this Prov-
 ince, no other apparent reason or Cause for the same being
 then only the advancement of his Lordships Interest who hath
 ever since Converted the same to his own use This present
 Generall Assembly therefore having taken the premisses into
 their serious Consideration and being fully Sattisfied that the
 reasons and Causes of giving the said Subsidy, was for the
 better securing the severall Ports and Harbours within this
 Province by Erecting of Forts and finding Sufficient Amunition

for maintaining the same which his Lords^p hath in no wise complied with, and forasmuch as this present Generall Assembly conceives his said Lords^p was incapacitated for performing what (upon making the said Act) was meant and intended should have been performed, It is humbly prayed it may be Enacted and be it Enacted by the King and Queens most Excellent Majesties by and with the advice and Consent of this present Gen^l Assembly and the Authority of the same. That from and after the Publication hereof, every Ship or Vessell (not properly belonging to this Province) having a Deck flush fore and aft coming in and Trading within this Province shall pay for Fort dutys or Anchorage the sum of fourteen pence sterl. money of England to be paid to our Sovereign Lord and Lady the King and Queen their heirs and Successors for support of the Government within this Province.

Lib. L. L.
No. 1.

And Whereas also it hath been thought meet and Convenient by this present Generall Assembly, that an Anūall & certain allowance should be made to such persons who are app^{td} and chosen to be of their Majesties Councill within this Province (except such as shall have and receive places of profit) Be it Enacted by the Authority aforesaid, by and wth the advice and Consent aforesaid, That every person or persons nominated and appointed to be of their Majes^{ts} Councill within this Province and having no such place of profit as aforesaid, shall for and in Satisfaction of their loss and time attending the Councill upon all occasions have and receive the sum of thirty pounds sterl. p ann, the said Councillors to whom such Allowance is made defraying their own Expences without any charge to the Publick whatsoever And be it further Enacted by the Authority aforesaid that the sume of thirty pounds Sterl. to the person or persons so as aforesaid due, shall be levyed and paid out of the afores^d Subsidy of fourteen pence p Tun, and the remainder to go to the Supply of this Province with sufficient Provision of Arms and Amunition any thing herein conteined to the Contrary notwithstanding. Provided allwayes and it is the true intent and meaning of this Act, that no Vessell or Vessells whatsoever properly belonging to this Province, coming and Trading within this Province shall pay or be charged with any Port Dutys or Anchorage whatsoever other then five shillings for entring and five shillings clearing for the respective Entryes and Clearings of each respective Vessel properly belonging to this Province as aforesaid any Law useage or Custome to the Contrary notwithstanding

p. 62

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Lib. L. L.	June 8 th 1692		June 8 th 1692
No. 1.	Assented to by the Councill Board	}	The house of Assembly
	Signed p Ord ^r		have Assented.
	John Llewellyn Clk		Signed p Ord ^r
			Hen Denton Clk.

An Act ascertaining the Expences of the
Com̄issioners of the Provinciaall and
County Courts.

Be it Enacted by the King and Queens most Excellent
Majestys by and with the advice and consent of this present
Generall Assembly and the Authority of the same that from
and after the End of this present Session of Assembly, the
Com̄issioners of the severall and respective County Courts of
this Province shall not have farther power & Authority to
Levy upon the Inhabitants of their severall and respective
Countys for defraying their Charges and Expences during the
time of holding their said County Courts, above the sume of
one hundred and twenty pounds of Tobacco and no more p
Day for every Commissioner that appears and sitts there
p. 64 during the time of the said Courts about the Publick affairs of
the said Countys. And be it further Enacted by the Authority
aforesaid, That every Justice of the Provinciaall Court that hath
no place of Profitt within this Province shall be allowed out of
the Publick Levy one hundred and Eighty pounds of Tobacco
p day and no more for every day he shall serve during the
said Courts besides his Itinerant Charges any Law Statute or
usage to the Contrary in any wise notwithstanding this Act
to Endure for three years or to the End of the next Generall
Assembly which shall first happen This act is to Extend to
all Counties in this Province Except Sum̄ersett County who is
hereby allowed the sum of Eight thousand pounds of Tobacco
p year, it being at the Speciall request of the Representatives
of the said County

June 8 th 1692	June the 8 th 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk	Signed p Ord ^r
	Hen: Denton Clk.

An Act for taking away all Errors in
Proceedings at Law and Equitty and in the
Court for Probate of Wills occasioned by
the late revolution

Whereas upon the late revolution divers differences and
p. 65 disturbances did arise and happen within this Province which

occasioned many Errors and irregularities in proceedings of ^{Lib. L. L.} Law and Equity and in the Court for probate of Wills to be ^{No. 1.} Committed for preventing of all disputes and troubles that may happen thereupon Be it Enacted by the King and Queens most Excell^t Majestys, by and with the advice and Consent of this present Gen^l Assembly and the Authority of the same, That all Bills Plaints Process, Precepts, Pleas, Judgements, Indictments, Informations, Proceedings, causes, Matters and things whatsoever commenced or depending in any of the said Courts since the first day of Aprill 1690, shall be good and Effectuall notwithstanding any Errors therein contained by discontinuances or otherwise whatsoever by reason of the said late troubles Provided nevertheless that no person or persons whatsoever shall have or take any benefitt of this Act for any Error or Mistake in any of the Processes, Pleas or other Proceedings not occasioned by the said late Troubles, but that the same shall remain and be as if this Act had never been made any thing herein contained to the Contrary thereof in any wise notwithstanding And forasmuch as by reason of the late Revolution all Judiciall proceedings were impeaded and hindred for above two years last past Viz^t from the year of Our Lord 1690 to this present time being the year of Our Lord 1692. Be it Enacted and Ordeined by and wth the advice and Consent aforesaid and the Authority of the same, that the said years shall not be accounted as years included & meant in the Statute of Limitations for payment or demand by debts due by Bond or Bill or Judgement or in the clause ^{p. 66} for the due returng of certificats upon Warrants for Land granted or suing out of Patents for Land according to the directions and Instructions of any of the Lord Baltmores Conditions of Plantations, or in the Clause for taking or suing out of Patents for Land contained in his Lordships Conditions of Plantation, but that in those and such like Cases the said years of Our Lord be past by and not accounted of for those years thereby meant or Mentioned.

June 4 th 1692	}	June 4 th 1692
Assented to by the Councill Board		The house of Assembly
Signed p Ord ^r John Llewellyn Clk		have Ass ^{td}
		Signed p Ord ^r
		Hen. Dent ⁿ Clk.

An Act for setling navall Officers
fees within this Province.

Whereas for some years past Masters of Ships and other Vessells Trading into this Province have used to pay at the time of the cleering of such Ship or Vessell for each respective

- Lib. L. L. Clearing the sum of two pounds one shilling and four pence
 No. 1. under pretext of Secretarys Fees besides other Fees to sev^{ll}
 the Inferiour Officers for writing their Entrys, Permitts and
 clearings, which said Secretaries and other Officers Fees as
 aforesaid were not only Illegall and unreasonable but also
 p. 67 unjust being exacted and extorted from the aforesaid Masters
 of such ships or Vessells as aforesaid without any pretence or
 Colour of Law or Justice whatsoever but for that it doth
 appear to this p^rsent Generall Assembly that there is a neces-
 sity of settling Fees for the maintaining such Officer or Officers
 as shall be from time to time app^{td} for Entring and clearing
 such Ships or Vessells as aforesaid Be it therefore Enacted
 by the King and Queens most Excellent Majestys by and
 with the advice and consent of this present Generall Assembly
 and the Authority of the same, that from and after the Publi-
 catⁿ hereof every Master of a Ship or Vessel Trading into this
 Province upon clearing his Ship or Vessel as aforesaid, shall
 allow and pay unto his Majestys Governour for the time being,
 the sum of forty shillings and no more, for such his Entring,
 Clearing & Granting Permitts as aforesaid, their said Majes-
 ties Governor being hereby oblieged to find Officers who shall
 give good and Sufficent Security to such their Majesties
 Govern^r as aforesaid for due Execution of the premisses, and
 that they shall not aske demand or Exact from any Master so
 cleering as aforesaid any Fee gratuity or reward whatsoever
 or him delay in his dispatch in Expectation of a Fee Gratuity
 or reward as aforesaid to be by such Master tendred for the
 reasons and causes aforesaid but that every such Officer or
 Officers so nominated and appointed as aforesaid being guilty
 of the premisses upon due proof thereof made, shall for every
 such default forfeit and pay the sum of twenty pounds sterl.
 one half thereof to our Sovereign Lord and Lady the King
 p. 68 and Queen for support of Government, the other half to the
 Party grieved to be recovered by Action of Debt Bill plaint or
 Information wherein no Essoyn Protection or Wager of Law
 to be allowed. Provided always and tis the true intent and
 meaning of this Act, that no Inland Sloop Trading from Vir-
 ginia hither or from hence to Virginia and noe farther shall
 be by this Act or any thing herein conteyned oblieged to pay
 the said sum of thirty shillings Sterl. for such their Entring
 and clearing as aforesaid but that the Master of every such
 sloop so Trading as aforesaid shall at the time of his clearing
 such Sloop as aforesaid, pay unto their Majesties Governour
 for the time being the sum of Ten shillings sterl. and noe
 more for such his Entry p^mitt clearing as aforesaid, any thing
 before mencōned to the contrary notwithstandg. Provided
 also that this Act nor any thing therein Conteyned shall be
 adjudged, construed or taken to Extend to the Fees due to

the severall Collectors within this Province but that their and every of their perquisitts be and remain to them as before making of this Act any thing herein conteyned to the Contrary notwithstanding

Lib. L. L.
No. 1.

June 7th 1692

Assented to by the Councill Board
Signed p Ord^r
W Taylard Clk
Assistant

June 6th 1692

The house of Assembly
} have Assented
Signed p Ord^r
Hen: Denton
Clerk Assembly.

An Act Enabling one Burgess out of each County to lay the Publick Levy of the Province for this p^rsent year.

p. 69

Whereas this present Generall Assembly have raised a certain sum of Tobacco for the defraying the Publick charges of this Province to this present time, but by reason that before the same can be Leavyed by an Equall upon the Inhabitants thereof, more charges may happen before the accustomed time for payment thereof, which is at the Tenth of October, at which time again to Convene the whole Assembly would be very chargeable and burthensome to the Province by reason of the remote habitation of the Delegates thereof. Be it therefore Enacted by the King and Queens most Excellent Majesties by and with the advice & consent of this present generall Assembly and the Authority of the same, that only one Burgess or Delegate for every County of this Province and one for the Citty of St Maries (that is to say) for the Citty of St Maries M^r Robert Mason, for St Mary's County M^r John Watson for Kent County M^r William Harris for An Arundell County Cap^t John Hamond, for Calvert County M^r Thomas Tasker for Charles County M^r William Dent, for Baltemore County M^r Francis Watkins for Talbott County M^r Robert Smith for Somerset County Cap^t William Whittington for Dorchest^r County Doct^r John Brook, for Cecill County M^r Edward Jones be sent down to the Citty of St Mary's the first day of October this present year 1692 to lay the said Leavy already raised who are hereby further Authorized to leavy and allow all further Charges that may accrew upon the Publick Account of this Province from the time of this Assembly to the twentyeth day of October aforesaid the same not Exceeding the sum of one hundred thousand pounds of Tobacco

p. 70

June 8th 1692

Assented to by the Councill Board
Signed p Ord^r
John Llewelin Clk.

June the 8th 1692

The house of Assembly
} have assented
Signed p Ord^r
Hen: Denton Clk.

Lib. L. L.
No. 1.An Act for the Imposition of four pence
per Gallon on Liqu^{rs} imported into this Province

Forasmuch as great charges and Expences to this Province have accrued in paying of Soldiers in discharging the Arrears of the late Government and the great necessity of repairing Court Houses and Prisons and also for raising a better allowance for paying the charges of their Majesties Councillors and Justices of the Provincia^l Court and for paying an agent of this Province in England, and for that this Generall Assembly have taken into their serious Considerations by what means the said Publick charge and Expence may be defrayed and discharged without leaving the same upon the Inhabitants thereof which would be too great a burthen at this time to undergoe. It is by the Generall Assembly thought no greater Expedient can be found then by assessing an Impost upon Liquors of four pence p Gallon upon all such Liquors as shall be Imported into this Province Liquors from England only Excepted We your Majesties most humble and Loyall Subjects the Deligates and Burgesses of this present Generall Assembly humbly pray that it may be Enacted And be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the Authority of the same, that from and after the Publication hereof, all Masters of ships and other Vessells importing Liquors into this Province with intent to vend and dispose of the same Pay unto their Majesties the sum of four pence p Gallon for every Gallon of Liquor Imported into this Province to the intent to vend and dispose thereof, the same to be Collected by their Majesties Receiver Generall of this Province, who shall give good security in their Majes^{ts} names to be accountable to the Assembly and pay the same anually for the Space of three years to the uses aforesaid or any or so many of them as the said Generall Assembly of this Province shall think fitt to Order and direct for the Ends and purposes aforesaid And be it further Enacted that every Master at the time of Entring such ships or other Vessells afore^d shall render upon Oath an Account of the quantity & quality of such Liquors so Imported to be vended or sold as aforesaid, and that the severall and respective Navall Officers within this Province for the time being shall at the time of Entring such ship or Vessell as aforesaid, give good Sufficient Security in their Majesties names for the payment of the Imposition aforesaid to the Receiver Generall aforesaid

June 8th 1692

Assented to by the Councill Board

Signed p Ord^r

John Llewellyn Clk.

June the 8th 1692

The house of Assembly

} have assented

Signed p Ord^r

Hen: Denton Clk.

An Act Appointing Peter Pagan Merch^t
to be Agent for this their Majest^s Province
of Maryland.

Lib. L. L.
No. I.

Whereas it is thought necessary that an Agent be app^{td} in London for this Province to defend and Promote all things for the good of this Province and also Maintain all Matters that may come in debate or otherwise relate to the good and well-fare of this Province have unanimously voted and agreed the said Peter Pagen to be our said Agent therefore Be it Enacted by their Majesties by and with the Advice and Consent of this present Generall Assembly, and it is hereby Enacted by Authority of the same, that the said Peter Pagen shall be our Agent for the end and purpose above sett forth and declared, and that he the said Peter Pagen shall be paid and satisfyed such sum and sums of Money as he shall from time to time Expend and lay out for this Province in the p. 73 premisses, and also that he shall have and receive full and ample satisfaction for his Care diligence and pains during his said Agency

June 8 th 1692	June the 8 th 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	} have assented
John LLewellin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for Publication of all
Laws within this Province

Forasmuch as many new Laws have been made by this present Assembly wherein the welfare of the good People of this Province is much concerned, and divers Old Laws not Sufficiently providing against the Offences by them to be Punished have been made more penall, to the end many people of this Province evilly disposed may be deterr'd from evill doing, and that notwithstanding all the Laws intend that every person in this Province is bound to take notice of what is passed in the Assembly, because every person is there present in their Representatives, Yet his Excellency the Gov^r the Councill and Assembly desiring not the destruction of the very worst of People of this Province, nor that they should be overtaken by any intendment in Law in a peanal Act though not at all too Severe for the misdeeds it intends to punish, do think fitt, That it be Enacted And be it Enacted by the King and Queens most Excellent Majest^{ies} by and with the advice and Consent of this Generall Assembly and the Authority of the same, That from hence forward all the Acts that shall Pass p. 74

Lib. L. L. from this and all the succeeding Assemblies, shall be from time
 No. 1. to time fairly Transcribed into Parchment & by writt under the
 Great Seal of this Province from time to time be passed by the
 Chancellor for the time being to the Sherriffe of each respec-
 tive County be Transmitted and Comandm^{ts} to them in the
 said Writts shall be given as well the said Acts in their Sev-
 erall and respective Counties in what place to them shall seem
 most convenient to Publish and Proclaim, all the said Acts of
 Assembly to see firmly observed and kept. And be it further
 Enacted by the Authority aforesaid that every severall &
 respective County shall from time to time pay to the Chancellor
 for the time being, for such Transcript of the Laws soe much
 Tobacco as by the said Generall Assembly in which the said
 Laws are made shall assess and allow

June 7 th 1692	June 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
W Taylard Clk	} have assented
Assistant	Signed p Ord ^r
	Hen: Denton Clk.

p. 75

An Act for the Election of Sherriffs.

Forasmuch as there have been great Complaints Gen^rally
 made from all parts of this Province that the long Continu-
 ance of the severall Sherriffs in their respective Offices hath
 been of ill consequences to the Inhabitants of this Province
 and that the Laws of England are no ways suitable to this
 Province, for that it would bee a great Injury to any such
 Sherriff to enjoy his said Office only one year, Be it therefore
 Enacted by the King and Queens most Excellent Majesties by
 and with the Advice and Consent of this present Generall
 Assembly and the Authority of the same, That from and after
 the Publication hereof no Sherriff or under sherriff within this
 Province shall continue or remain in his or their Office or
 Offices of Sherriff or undersherriff of such County, for any
 longer or greater time then two full years from the first time
 of his Entrance into such Office or Offices. And be it further
 Enacted that if any such sherriff or under sherriff shall for the
 future accept of any such Comission Contrary to the true
 intent & meaning of this Act, Every such Sherriff shall forfeit
 and pay to their Majesties the sum of two hundred pounds
 sterl. & every such under Sherriff shall forfeit and pay the
 sum of twenty pounds sterl. the one half of both the said
 Fynes or Forfeitures of the said Sherriff or under sherriff to
 be to their Majesties for support of Government the other
 p. 76 half to the Informer or Inform^{rs} or to him or them that shall
 sue for the same, to be recovered in any Court of Record

within this Province by bill plaint or Information, wherein no Essoyn Protection or wager of Law to be allowed Provided always that this Act nor any thing therein conteyned shall not extend to debarr any Person whatsoever from taking his legall Remedy against any Sherriff taking Extortious Fees or any other Offence whatsoever relating to his Office, any thing in this Act to the Contrary notwithstanding.

Lib. L. L.
No. 1.

June 4 th 1692	}	June 2 ^d 1692
Assented to by the Councill Board.		The house of Assembly
Signed p Ord ^r		have Assented
John Llewellyn Clk.		Signed p Ord ^r
		Hen: Denton Clk.

An Act for securing Merchants and
others Tobacco after they have received it.

Forasmuch as by an Act of Assembly of this Province formerly made amongst other things therein conteyned, it was Enacted that care should be taken for the securing of Merchants and others Tobacco after they had received it by such Persons and under such Penalties as by the said Law was required and imposed, but for that no time was therein mentioned how long the said Persons so oblieged should secure the same by means whereof great inconveniencies have arose, and as well the s^d Persons so oblieged as aforesaid as Merchants and others hāvg Tobacco received susteined great damages by reason of the uncertainties aforesaid, for prevention whereof for the future It is humbly prayed by the Deputies and Delegates assembled th^t it may be Enacted and be it Enacted by the King and Queens most Excellent Majesties, by and with the advice and Consent of this Generall Assembly and the Authority of the same, That from and after the Publication hereof; Every housekeep^r or Inhabitant within this Province, having a Plantation whereon he maketh or causeth to be made any Tobacco shall build and erect or otherwise fitt up and make ready a good tight house, with a good door lock and key upon every Plantation where such Tobacco is made as aforesaid sufficient to contain the Tobacco made upon every Plantation, and the s^d houses to be builded fitted up and made ready by the Tenth Day of October ensuing the Publication hereof. And be it further Enacted by the Authority aforesaid by and with the advice and Consent aforesaid, that from and after the said Tenth Day of October, every Inhabitant and housekeep^r as aforesaid, having a Plantation whereon he maketh or causeth to be made any Tobacco as aforesaid, and that shall Pay away and dispose of any Tobacco to any Merchant Mast^r of a ship sailor or any other

p. 77

p. 78

Lib. L. L. No. 1. Person whatsoever shall notwithstanding such disposure or payment secure and keep the said Tobacco as he would do his own proper goods for and during the space of a whole year commencing from the time of receiving the Tobacco aforesaid and no longer Provided allways that nothing in this Act contened shall be construed meant or intended to make any Inhabitant or house keeper lyable to any damage which shall happen to any Tobacco so left with him to keep and secure through any Casualty whatsoever. And be it further Enacted by the authority aforesaid by and with the advice and consent aforesaid, that every Inhabitant or housekeep^r as aforesaid, which shall not build fitt up and make ready such house or houses as aforesaid upon their respective Plantations for the uses and by this time limitted as afores^d shall forfeit and pay the sume of Five hundred pounds of Tobacco in Cask, the one half to their Majest^{ty} for support of Governm^t the other to the Informer or him or them that shall sue for the same, to be recovrd in any Court of Record wthin this Province, wherein no Essoyn Protection or wager of Law to be allowed, This Act to continue for three years or to the end of the next Generall Assembly w^{ch} shall first happen.

June 4th 1692

Assented to by the Councill Board.

Signed p Ord^r

John Llewelin

Clk.

June 2^d 1692

} The house of Assembly
} have assented

Signed p Ord^r

Hen: Denton Clk.

p. 79

An Act empowering Comission^{rs} of the County Courts to leavy and raise Moneys to defray the necessary charges of their Countyes.

Forasmuch as in the Intervalls of Assemblies in this Province there have been severall Necessary Charges laid out and Expended in the Severall and respective Counties of this Province by the severall and respective Commission^{rs} of the said Counties and others for the Good welfare and Conservation of the Peace and within the said Counties and which ought to be borne by the severall and respective County's distinctly, and have been formerly used and accustomed to be reimbursed defrayed paid and satisfied by and out of the county Leavy Leavyed and assessed by the Commissioners of the said respective County's by an Equall Assessment upon the Estate and Persons of the Inhabitants of the said severall and respective Counties, but the said Comissioners of the said County Courts not hav^g sufficient Warrant and authority to raise such Leavy Be it Enact^d by their most Excellent Majestys by and with the advice & consent of this Generall Assembly

and by the Authority of the same, that for the future it shall and may be lawfull to and for the severall and respective Commissioners of the Severall and respective County Courts within this Province at the Severall & respective Courts to be held for the said County's upon Examination had before them of the Publique charges of their said severall & respective Countys and allowance by them made of the same to levy & raise Tobacco for Payment and Satisfaction of the said severall and respective County charges and the Sherriffs Salary for Collecting thereof by an Equall Assessment of the Goods and Chattells of the freemen and Inhabitants of the said severall Countys any Act Law Custome and useage heretofore had and made to the Contrary in any wise notwithstanding. Provided always that the Accounts of the said County charge be kept upon Record fair written in a Book by themselves signed by the Clerk of the said County Court, and that upon Complaint of any Person that the said charges are not allowable, or that he is overcharged or otherwise agrieved the said Acts shall be Examined and rectified in the Provinciaall Court of this Province

Lib. L. L.
No. 1.

p. 80

June 4 th 1692	June 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
John Llewelin Clk.	} have assented
	Signed p Ord ^r
	Hen: Denton Clk.

An Act declaring what shall be done
by the Sherriffs ex officio.

Whereas an Act of Assembly formerly made Entituled an Act declaring what shall be done by the Sherriffs Ex Officio hath been found to be of great use and advantage to the Inhabitants of this Province, in relieving them from Sever^{ll} Charges which before the making of the said Act, were by the severall and respective Sherriffs Exacted and taken, And forasmuch as the said Act is thought to be of so great use and advantage to the Inhabitants of this Province as that there is a necessity of continueing the same, The Deputies and Delagates of this Present Assembly do humbly pray That it may be Enacted and be it Enacted by the King and Queens most Excellent Maj^{ty} by & with the advice of this Generall Assembly and the Authority of the same, That from and after the end of this present Sessions of Assembly, no Sherriff shall within this Province take Exact or receive of or from any person whatsoever any Fees Salary Gratuity or Reward for the serving or Executing any writt warrant or precept from the Governor or Councill, or from any Justice of the Peace within this Provy-

p. 81

Lib. L. L. ince, or for the doing of any other thing in any the Courts of
No. 1. Record within this Province for any matter or thing upon any
suite or suits in Criminall Cases, but Sherriffs are hereby
enjoynd to Execute the same Ex Officio, And every Sherriff
offending herein shall forfeit the sum of one thousand pounds
of Tobacco for every Offence, one half to their Majesties for
the repair of that County Prison wherein they bear Office, and
the other half to the Party grieved to be recovered by Action
of debt bill plaint or Information wherein no Essoyn Protec-
tion or wager of Law to be allowed. This to endure for three
years or to the end of the next Sessions of Assembly which
shall first happen.

June 2^d 1692

Assented to by the Councill Board.

Signed p Order

John Llewellyn Clk

June the 2^d 1692

The house of Assembly
have assented.

Signed p Ord

Hen: Denton Clk.

p. 82

An Act concerning the height
of Fences.

Whereas divers people within this Province have and do
make insufficient Fences about their Cornfields whereby cattle
and horses are apt to go in and destroy their said Corn for
prevention of which for the future Be it Enacted by the King
and Queens most Excellent Majesties by and with the advice
and Consent of this present Generall Assembly and the
Authority of the same That all Fences for Corn fields within
this Province shall be five Foot in height round the Field
suffic^t and strongly made in the Judgement of two indifferent
men viewing the same in Case of Trespass, and in Case any
horse or horses or other cattle shall happen to leap over such
Fences as aforesaid or break it down being sufficient and
strongly made as aforesaid, That then the owner of such
horse or horses or other Cattle, shall be lyable to pay the
Trespass, and in case the said horse or horses or other Cattle
shall break into the Corn field a second time the owner hav^g
had warning of the first before two Witnesses That then it
shall and may be Lawfull for the owner of such Corn field by
the testimony of two men to take the said horse or horses into
some place where they may be secured untill the Owners
thereof lay claym to the same and when so claimed by owners
of such horse or horses That it shall be Lawfull for the next
Justice of Peace to award what damage he shall think fitt to
the Complainant upon good proof to him made, and in case
the said fences be not so high That then the Owner or

p. 83

owners of such Cornfields shall bear their own loss committed by such horse or horses or other Cattle as aforesaid

Lib. L. L.
No. 1.

June 2^d 1692

June the 2^d 1692

Assented to by the Councill Board } The house of Assembly
Signed p Ord^r } have Assented.

Signed p Ord^r

John Llewellyn Clk.

Signed p Ord^r

Hen: Denton Clk.

An Act for the Enrolement of Conveyances
and securing the Estates of Purchasers.

For the better Establishing of a way and Method of conveying of Mannors Lands Tenements & hereditaments within this Province for the future and for the avoiding of all abuses and deceits in incumbering Estates by Mortgages and otherwise by the owners of Lands and hereditaments to the prejudice of Purchasors for valuable considerations and such as lend their moneys upon reall Security Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and by the Authority of the same. That from and after Publication hereof no Mannors Lands Tenem^{ts} or hereditaments whatsoever within this Province or any the Lands Islands Territories or Places thereunto belonging, shall Pass alter or change from one to another whereby the Estate of Inheritance or Freehold or any Estate for Years other then such upon which the Improved yearly Rents reserved to be paid shall be made to take Effect in any Person or persons or any use or Trust thereof Except the deed or Deeds Conveyance or Conveyances, by which the same shall be intended to pass alter or change be made by writing indented and sealed, and that the same be acknowledged in the Provinciaall Court of this Province or before two of the Councill of this Province or in the Court of the same County or before two of the Justices of the Peace of the same County where the same Mannors Lands Tenements & hereditaments do ly and be Enrolled or the substance of the same, That is to say the certain dates names Surnames and Additions of the Parties thereunto with the certain considerations for which the same were made and the certainty of the premisses and of the Estate or Estates thereby intended to pass be Enrolled in the Provinciaall Court of this Province or in the County Court where the Land doth lye, the same Enrolment to be made within twelve months after the date of the said Writings Indented for the Capcōn of which said acknowledgement, there shall be paid to the parties taking the same twelve pence sterling and no more, and for which said Enrolment there shall be paid to the Clerk of the said Provinciaall or

Lib. L. L. County Court, in Case the same do not Exceed half of a side
 No. 1. of a leaf in folio in the Record Book wherein the same shall
 p. 85 be Enrolled the sum of Eight pence only, and if the same do
 Exceed halfe side of a leaf as aforesaid, then the sum of six-
 teen pence for every side of a leaf as aforesaid, shall take up,
 and that the Clerk of the said Court shall well and sufficiently
 enroll the same, with a note of the day wherein the same shall
 be Enrolled in a good Sufficient book in folio to remain in the
 Custody of the Clerk of the same Court for the time being,
 amongst the Records of the same Court, to the intent that
 every party that hath to do therewth may resort unto and see
 the Enrollment, and that the same Clerk shall on the back of
 every such Deed in a full Leigable Text hand make an En-
 dorsement of the Day & year of such Enrollment and also of
 the folio of the Book in which the same shall be Enrolled, and
 shall unto such Endorsement sett his hand Provided alwayes
 and it is hereby Enacted by the Authority aforesaid by and
 with the advice and Consent aforesaid That where the Grantor
 or Grantors, Bargainor or Bargainors of any such Mannors
 Lands, Tenem^{ts} or hereditaments shall happen to be out of this
 Province and within any of their Majesties Dominions at the
 time of the Enseat^g of such writing or writings Indented so as
 the same cannot be acknowledged in Manner and forme as is
 before directed or Enrolled within the time for that purpose
 herein before Li^mitted That in every such Case the acknowl-
 edgement of such writing or writings before the cheif Governor
 or Governors of any their said Majestys Plantations, or before
 the Mayor or Cheif Magistrate of any Citty or Town Corpo-
 p. 86 rate within their said Majesties Dominions and a Certificate
 thereof under the hand and Seale of such Governor or Gover-
 nors, or under the Co^mon Seale of such Citty or Town Corpo-
 rate annexed or affixed unto such writing Indented, together
 with such Certificate in the Provinciall Court before mencōned
 within two years next after the date of the said writings
 Indented shall be a sufficient acknowledgement and Enroll-
 ment in the Law to all Intents and purposes as Effectuall and
 available for the Passing and conveying the Mannors Lands
 Tenements and Hereditaments thereby intended to be Passed
 and Conveyed as if the same had been acknowledged in this
 Province and Enrolled according to the Intention and direc-
 tion of this Act any thing herein before contained to the Con-
 trary hereof notwithstanding. And be it further Enacted by
 the Authority aforesaid by and with the advice and consent
 aforesaid That every such writing Indented to be acknowl-
 edged and Enrolled as aforesaid, shall have relacōn as to the
 passing and Conveying of the premisses and the Estate and
 Estates thereby passed or intended to be passed and convey'd

only from the Day of the Enrollment of the same and not from the Day of the date thereof, and shall at all times be Construed and taken most favourably and beneficially for the benefitt and advantage of the Grantee and Grantees and more strongly for the barring of the Grant^r and Granters therein to be named, and according to such intent as by the words thereof shall appear to have the true intendment of the Parties thereunto, Albeit the same shall not happen to be drawn and penned in such strict formall manner as is used in England and other Countrys where the advice of Councill Learned in the Laws of the Countrey may easily be had in the drawing penning and writing of Instruments of the like nature Provided always That any married woman or femē Covert shall happen to be named a party Grantor in any such writing indented the same shall not be of force to debarr her or heires Except upon her Acknowledgement of the same the person or persons taking such her acknowledgement shall Examine her privately and Secretly out of the hearing of her husband whether she do make such acknowledgement of the same to the person or persons taking such her acknowledgement willingly and freely and without being induced thereunto by any fear or threats of or used by her husband or through fear of his displeasure, and that upon Examination she shall own the said Acknowledgement to be free and voluntary and the person or persons so Examining her shall in the noat or Certificate of the Caption of the said Acknowledgement Certify such her Examination and acknowledgement thereupon & that such Certificate be likewise Enrolled upon Record in w^{ch} Case only every such feme Covert shall be barr'd and not otherwise, any thing herein before contained to the contrary notwithstanding^g

And be it Enacted by the Authority advice and Consent afores^d That no advantage shall be had or taken against any person or persons whatsoever that hath either Conveyed or had Conveyed to him any Mannors Lands Tenements or Hereditaments by any way's or means whatsoever in this Province for non payment of the Alienations reserved as aforesaid at any time or times since the late happy Revolution of Affairs in this Province, But that the payment of the same, and receipt taken shall be as available and beneficiall to the party or parties who ought to pay the same and recording the same receipt as if the same had been paid at the time of the acknowledging and Enrollment as aforesaid any thing in this Act or in any former Act or any Law Statute or useage to the Contrary thereof in any wise notwithstanding.

June 7 th 1692.	}	June the 2 ^d 1692
Assented to by the Councill Board.		The house of Assembly
Signed p Ord ^r W Taylard Clk assis ^t		have Assented
		Signed p Ord ^r Hen: Denton Clk.

Lib. L. L.
No. 1.An Act Prohibiting Arrests upon Sabbath
day's [or] day's of Generall Muster or Training.

Whereas it hath been the frequent practice of Sherriffs and other Officers appointed for the serving of Process for their own ease and benefitt to repair to the Churches and other places of publick meeting upon the Sabbath day as also unto the usuall places of Mustering and training for the better
 p. 89 Education of the Inhabitants of this Province in Martiall discipline on purpose to serve warrants and Executions and other Writts Precepts and Process to them directed by which means men in danger of Arrests have been deterred from the Service of God and their Majesties It is therefore Enacted by the King and Queens most Excellent Majesties by and wth the advice and consent of this Generall Assembly and by the Authority of the same, That no Sherriff or other Officer to whom any Warrant Execution Writ Precept or other Process shall be directed or any their Deputies or other Person or Persons by them Especialy appointed for the Serving of the same from and after the Publication hereof, shall Execute or serve any such Warrant Execution Writts Precepts or Process as aforesaid upon any person or persons within this Province either upon the Sabbath day or uppon any Training or Mustering days for Military Concerns or Ellection of Burgesses within this Province where in they bear Office And be it further Enacted by the Authority aforesaid by and wth the advice and consent aforesaid, That every such Warrant Executⁿ Writt Precept or Process as aforesaid served or Executed contrary to the true intent and meaning of this Act the Arrest or Execution by Virtue thereof made, shall be in it self void and the Sherriff or other Officer to whom such Process shall be directed doing or Suffering the same to be done shall be lyable to an Action of false Imprisonment to be brought by the Party grieved Provided always that it shall and may be
 p. 90 Lawfull for the Sherriff or any other Officer to apprehend and carry to Prison any Person or Persons for Riotts felony or suspicion of Fellony or for Escapes out of Prison when under Execution upon any days or at any Place within their respective precincts as also to arrest any person or persons on a Mustering day or day of Election that is not bound to attend such Muster or that are not Qualified by Law for Electors any thing in this Act to contrary hereof in any wise notwithstanding.

June 2^d 1692.Assented to by the Councill Board. } The house of Assembly
Signed p Ord^r John Llewelin Clk. } have Assented.Signed p Ord^r
Hen: Denton Clk.

An Act against Hogstealers and marking of
Hoggs.

Lib. L. L.
No. 1.

Be it Enacted by the King and Queens most Excellent Majestys by and with the advice and consent of this present Generall Assembly and Authority of the same That any person or persons whatsoever that shall kill any unmarked swine being above three months old except upon his own Land in any part of this Province or being in Company wth his own Hoggs shall be deemed and taken as a Hogstealer and suffer such pains and penalties as by this Act or any other Act is provided against Hogstealers and all the Inhabitants of this Province who have not already brought in their severall marks p. 91 of Hoggs and other Cattle and Recorded them according to the directions of a former Act intituled an Act touching Hoggs and marking of Cattle are required by this Act to bring in their severall marks of Hogs and other Cattle and cause them to be Recorded either in the County Court where the Party lives or in the Provinciall Court of this Province wthin twelve months after the date of this Act or within twelve months after the assuming or taking any perticular mark under penalty of loosing the benefitt of the same And be it Enacted by the Authority aforesaid, by and with the advice & consent aforesaid That if any person or persons whatsoever shall hereafter shall kill any Hogg or Hogs in the Woods as aforesaid and shall cutt off the Ears thereby to deface or otherwise to alt^r the marke shall be reputed as a hogstealer and that any person or persons that shall be reputed by Common fame Hogsteal^{rs} and have been formerly warned by the true owner of any Land whereon there is a Seated Plantation and Inhabited shall yet presume either with dog or Gun to hunt upon the same, he or they so warned, shall be lyable to pay the sum of one thous^d pounds of Tobacco for every such Offence, the one half to the King and Queen for the support of Government and Contingent uses thereof, the other half to the Owner of the Land to be recovrd in any Court of Record within this Province by Action of debt bill plaint or Information, wherein no Essoyn Protection or wager of Law to be allowed And for the bett^r Executⁿ of this and all other good p. 92 Laws of this Province against offenders Be it Enacted that every respective County Court at the Courts to be held half yearly in March and November or oftner as need shall require at the discretⁿ of the Justices of each County shall by a Grand Jury enquire of all Offences committed against this and all other the good Laws of this Province And the sherriff of every respective County shall of course Empannell and return a Jury of Enquest at the said half yearly Courts to be held in March and November or oftner as need shall require as afore-

Lib. L. L. said And all such Grand Juries as aforesaid that shall be
 No. 1. Empannelled to appear at any the County Courts as aforesaid
 by Virtue of this Act upon any occasion whatsoever shall be
 Freehold^{rs} of the said County and no others And that it shall
 and may be lawfull for the Justices of each respective Counties
 to allow to the said Jurors towards their charge of attendance,
 such sum of Tobacco in each respective County Court as to
 the said Justices shall seem convenient according to the time
 of their attendance not Exceeding the sum of four hundred
 pounds of Tobacco in any one County Court, And that all the
 Constables shall of course appeare at the said respective
 County Courts in the Months of March and November to be
 held half yearly as aforesaid, and if either the Sherriff shall
 p. 93 neglect to impanell and return such Juries as aforesaid, and
 the Constables to app^{re} as aforesaid, each Sherriff or Constable
 shall forfeit respectively one thousand pounds of Tobacco, to
 the use of the poor of the Parish in which the Offenders dwell.
 And for the more Effectuall prosecution of the true intent and
 meaning of this Act, Bee it Enacted by the Authority aforesaid
 by and with the Advice and consent aforesaid That a former
 charge heretofore drawn up by the Chancellor of this Province
 and sent to the severall County Courts within this Province
 upon severall Articles upon the which the said County Courts
 shall strictly Examine all the Constables within their severall
 and respective Countys for the discovery of Offenders and due
 Execution of Justice And for the ascertaining the Punishment
 of all or any of the person or persons being reputed or taken
 as Hogstealers by this Act, Be it Enacted by the Authority
 aforesaid by and with the advice and consent aforesaid that
 they shall suffer such pains and penalties as are provided by a
 certain Act of this Province Entituled an Act for the more
 speedy bringing to Tryall and suppressing Criminalls and
 limitting their Punishm^t for certain offences when prosecuted
 in the County Courts, and that all p^rsentm^{ts} that shall concern
 life or Member that shall be made in any County Court within
 this Province, be by the clerk of each respective County Court
 Transmitted to the Provinciall Court upon pain of forfeiture
 of one thousand pounds of Tobacco for every presentment of
 them neglected to be sent to the Provinciall Court as afore-
 said.

June 2 ^d 1692	June 2 ^d 1692
Assented to by the Councill board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act Prohibiting Trade wth the
Indians for any flesh dead or alive
except Deer & wild foule.

Lib. L. L.
No. 1.
P. 94

Whereas Sundry Complaints have been made by severall Inhabitants of this Province, alleadging that the Indians under pretence of killing wild hoggs do hunt & drive away their tame hoggs and Cattle, and do moreover Sell and Trade with the Inhabitants of this Province & likewise with Forreigners and Strangers for beef and Pork Be it Enacted by the King and Queens most Excellent Majesty by and with the Advice and Consent of this present Generall Assembly and the Authority of the same, that no person or persons whatsoever either forreign^r or Inhabitant shall buy Trade or barter with any Indian or Indians whomsoever for any flesh dead or living Except venison wild fowl or other Vermine upon penalty of five thousand pounds of Tobacco, the moyety to the King & Queen for the support of Government, the other Moyety to the Informer or him or them that shall sue for the same, the said Fine to be recovered in any Court of Record within this Province wherein no Essoyn Protection or Wager of Law to be allow^d this Act to Continue for three years.

7 th June 1692.	}	June the 2 ^d 1692.
Assented to by the Councill board.		The house of Assembly
Signed p Ord ^r		have Assented.
W Taylard Clk Assist ^t	}	Signed pOrd ^r
		Hen. Denton Clk.

An Act for the more speedy bringing
to Tryall and suppressing criminalls and
limittin^g their Punishments for certain
Offences when prosecuted in the County Courts.

P. 95

Whereas the severity of the Laws of England against theiving stealing and purloining are very suitable to that and all other Populous Kingdomes but not agreeable to the nature and Constitution of this Province so meanly and thinly Inhabited &c. for the easment of the people of this Province in proceeding against and bringing to Tryall the severall Persons guilty of the Crimes in this Act hereafter mentioned.

Be it Enacted by the King and Queens most Excellent Majesty by and with the Advice and Consent of the Gov^r & Councill and this Present Gen^l Assembly, that it shall and may be lawfull to and for the sever^l and respective Justices and Comissioners of the severall and respective County Courts within this Province in the respective County Courts to hear and determine all theiving or stealing whatsoever (Robery

- Lib. L. L. Burglary and house breaking only Excepted) whether it be a
 No. 1. horse, mare, Gelding, Colt, Cow, Calfe, Ox, Bull, Steer, Ram,
 Ews or Lambs, Goats, Hoggs, Piggs, Poultry or other goods
 or Chattles whatsoever not exceeding the Value of one
 thousand pounds of Tobacco, and also of the severall Offences
 mentioned and conteyned in an Act made and Enacted this
 Sessions of Assembly Entituled an Act gainst hogstealers
 p. 96 and marking of hoggs, and all and all mañer of Persons
 thereof lawfully convicted by due course of Law in any of the
 County Courts aforesaid shall and may cause to be Punished
 by whipping or Pilloring or both as the Justices before
 whom such conviction shall happen to be shall think most
 agreeable to the demerit of the Offender or Offenders not
 Extending to life or Member any Law Statute or useage to
 the Contrary notwithstanding And be it further Enacted by
 the Authority aforesaid by and with the advice and consent
 aforesaid that any Offenders thieving or stealing as aforesaid
 that shall be Convicted thereof by Confession of the party or
 by one Sufficient or Lawfull witness not being the Party
 injured or damnified shall Restore four fold to the owner of
 the goods or chattles soe stolen or purloyned as aforesaid the
 value thereof to be adjudged by the Court where & when the
 Offender shall be convicted any Law Statute or usage to the
 Contrary notwithstanding. Provided allways that all convic-
 tions as aforesaid be upon and by a Verdict of twelve good
 and lawfull men of the vicinity or neighbourhood and not
 otherwise Provided nevertheless that where any person or
 persons whatsoev^r shall at any time hereafter happen to be
 accused or convicted as aforesaid of any of the Crimes afore-
 p. 97 said not above the Value of one thousand pounds of Tobacco
 as aforesaid and shall afterwards happen to committ the like
 crime not exceeding the Value, the Justices of the County
 Courts shall have power to hold plea of the said second
 offence and punished as aforesaid But if the pty shall happen
 the third time to committ the like crime then the Justices of
 the severall County Courts shall not have power to hold plea
 thereof; but shall committ the said party accused till he or she
 find bayle (if by Law baylable) to answer his or her crime at
 the then next Provinciall Court of this Province who are to
 proceed against such criminall according to the Laws of Eng-
 land and the Justices of the said County Courts are to bind
 over the Parties Prosecutors and Evidence to Prosecute and
 give evidence at the said Provinciall Court and to send a
 Transcript of the Record of the first and second Convictions
 of the said Criminalls under the Seale of the said County
 Court to the End the Justices of the Provinciall Court may
 apportion such Punishment as the third offence of such pson

Criminall shall justly deserve and the Law will allow of this Act to endure for three years or to the End of the next Generall Assembly which shall first happen. Lib. L. L.
No. 1.

June 4 th 1692	June 2 ^d 1692.
Assented to by the Councill Board.	The house of Assembly
Signed p Order	} have Assented.
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for limitation of certain
Actions for avoiding suits at Law.

p. 98

Forasmuch as nothing can be more Essentiall to the Peace and Tranquility of this Province then the quieting the Estates of the Inhabitants thereof and for the Effecting of w^{ch} no better measures can be taken then a limitation of time for the commencing such Actions as in the severall and respective Courts within this Province are brought from the time of the cause of such Actions ariseing. Be it therefore Enacted by the King and Queens most Excellent Majesties by and with the Advice and consent of this Generall Assembly & the Authority of the same, that all Actions of Trespass quare clausum fregit, all Actions of Trespass detinue sur Trover or Replevin for taking away goods and chattles, all actions of Account, contract debt Book and upon the case other then such Accounts as concerne the Trade of Merchandize between Merchant and Merchant their factors & Servants which are not Resident within this Province, all Actions of debt for tending or contract without specialty all Actions of debt for arrearages of Rent, all Actions of Assault, menace, battery wounding and Imprisonment or any of them w^{ch} shall be sued or brought by any person or persons within this Province at any time after the end of this present Gen^l Assembly shall be commenced and sued within the time and limitation hereafter expressed and not after (that p. 99 is to say) and the said Actions for account and the said Actions for debt detinue & replevⁿ for goods and Chattles, and the said actions for Trespass quare clausum fregit within two years ensuing the Cause of such action and not after And the said Actions of the Case for words and Actions of Trespass, of assault, Battery, wounding and Imprisonment or any of them within one year from the time of the cause of such Action ariseing and not after And be it further Enacted by and with the advice and consent aforesaid, That in all Actions of the Case for Slanderous words to be sued or prosecuted by any person or persons in any Courts of Record of this Province that hath pow^r to hold Plea of the same after the end

Lib. L. L. of this present Assembly if the Jury upon the Tryall of the
 No. 1. Issue in such Action or the Jury that shall Enquire of the
 Damages do find or Assess the damage under forty shillings,
 then the plant or plant^s in such Action or Actions shall have
 and recover only so much Cost as the damages given or
 assessed amount unto And be it further Enacted by the
 Authority aforesaid that if any person or persons Entitled to
 any the Actⁿ or Actions aforesaid, shall be at the time of any
 such cause of Action accrewing within the Age of one and
 twenty years ffeme Covert non Compos mentis imprisoned
 or beyond the Seas that then such person or persons shall be
 at liberty to bring the same Action or actions within such
 times as are before limitted after their com̄g to or being of
 full Age discover of sound Memory at large or returned from
 beyond the Seas as other Persons having no such Impediment
 p. 100 might or should have done, and forasmuch as diverse disputes
 have formerly arose, whither Persons absenting the Province
 or wandering from County to County untill the time by the
 late Act for the reasons and purposses aforesaid limitted and
 allowed were Expired should have any benefitt thereby and
 different Judgements given thereon in the severall and respec-
 tive Countys within this Province, for that the said Act was
 therein altogether silent.

Be it therefore Enacted by the authority aforesaid that from
 and after the Publication hereof no person or persons whatso-
 ever absenting themselvs out of this Province, or that shall
 remove from County to County after any Debt contracted,
 whereby the Credit^r or Credit^{rs} may be at any uncertainty of
 finding out the said pson or psons or his or their Effects shall
 have any benefitt by the limitations & restrictions in this Act
 Specified, Provided allways and it is the true intent & mean-
 ing hereof that this Act nor any thing herein Conteyned shall
 be construed reputed or taken to p^rjudice or debarr any pson
 removing himself & family from one County to another for his
 convenience or any pson leaveing this Province for the Term
 & time in this Act limitted from the benefitt thereof, he leaving
 Effects sufficient & known for the paym^t of his just debts in
 the hands of some pson or psons who will assume the paym^t
 thereof to his Credit^{rs} any thing in this Act conteyned to the
 contrary hereof in any wise notwithstanding.

4th June 1692.

June 2^d 1692

Assented to by the Councill Board	} The house of Assembly have assented
Signed p ord ^r	
John Llewelin Clk.	
	Signed p Ord ^r
	Hen: Denton Clk.

An Act concerning Proceedings at Law.

Lib. L. L.
No. 1.
p. 101

Whereas severall differences do arise within this Province wherein there is no Rule or Law Provided in this Province whereby to determine such differences, for the avoiding of the Inconveniencies as from thence may arise Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and Consent of this present Generall Assembly and the Authority of the same, that where the Law of this Province is silent Justice shall be administred according to the Laws of England.

June 4th 1692.

June 2^d 1692.

Assented to by the Councill Board.	} The house of Assembly	
Signed p Ord ^r		} have Assented to.
John Llewellyn Clk.		
	Signed p Ord ^r	
	Hen: Denton Clk.	

An Act Prohibiting Comission^{rs} Sherriffs
Clerks & Deputy Clerks to plead as Attornies
in their respective County Courts.

Whereas many inconveniencies have happened to diverse Persons within this Province by means of Comission^{rs} Sherriffs and Clerks pleading as Attorneys in their respective Courts wherein they bear Office, for prevention whereof for the future Be it therefore Enacted by the King and Queens most Excellent Maj^{ty}s by and with the advice and Consent of this General Assembly and the Authority of the same, That from and after the Publication of this Act no Comissioner Sherriff or Deputy sherriff Clerk or Deputy Clerk of those Courts wherein they bear Office shall plead as Attor. for or in behalf of any person or persons at that time residing or being within this Province uppon the Penalty of three thousand pounds of Tobacco, the one half thereof to their said Majesties for the Support of Government the other moyety to the Informer or him or them that shall sue for the same, to be recovered in any Court or Courts of Record within this Province, by bill plaint or Information wherein no Essoyn Protection or Wager of Law to be allowed.

p. 102

June 4th 1692

June the 2^d 1692

Assented to by the Councill Board.	} The house of Assembly	
Signed p Ord ^r		} have Assented
John Llewellyn Clk.		
	Signed p Ord ^r	
	Hen: Denton Clk.	

Lib. L. L.
No. 1.An Act relating to the seizure
of Tobacco by the Sherriffe.

Forasmuch as great Complaints have been made to the Delegates of this House of Assembly of the many & great inconveniencys that have lately happened and do dayly, and
 p. 103 for the future may happen and accrew to many Merchants Masters and other persons Trading into or Inhabiting within this Province who have severall debts and sums of Tob^o due unto them from severall Persons in this Province who for satisfaction of their said Debts have paid away and delivered to their severall Creditors Severall quantities and Hogsheads of Tobacco, and such Hogsheads of Tobacco have been received markt and nayled by such Merchants Masters and others Trading into & residing within this Province as aforesaid, And thereupon the said Creditors have delivered up to the said Debtors their Bills or other Specialties given for security of the said Debts or otherwise the said Debtors have procured released or discharged for the said Debts notwithstanding afterwards the severall Sherriffs within this Province upon pretence of Publick debts due from the said Persons Debtors, have seized the said Creditors Tobacco so recd. marked and nailed as aforesaid and lying in the said Debtors Tobacco houses, and by that means the said Creditors are left without remedy for the recovery of their said Debts again, to the great hindrance of Trade and prejudice of such Creditors And for as much also as the people of this Province are very much grieved by the severall undue Practices of severall Sherriffs of this Province, who having Authority to Collect the Publick leavies of this Province, which many times amounts to a small sum of Tobacco and coming to the severall Persons within this Province to demand and receive the same, and finding no Tobacco ready Packt do commonly mark the
 p. 104 Inhabitants Tobacco houses wherein are far greater quantities of Tobacco then will pay the said leavys, and Order them not to dispose of any the said Tobacco till the same leavys be paid, whereby the said Inhabitants are debarred from laying out their said Tobaccos where they conveniently may, and when necessity requires to their great loss and damage for prevention whereof for the future Bee it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the Authority of the same That any person or persons whatsoever Merch^{ts} or others within this Province that hath at any time within these twelve months last past received marked and nayled or for the future shall receive marke or naile any Hogsheads Tobacco within this Province of any psons Debtors within this Province and which hath been paid and delivered to them

for satisfaction of their said debts and such Merchants and others have upon the receipt marking and Nayling of such hogsheads of Tobacco delivered up to their respective debtors, their bills or other security Passed by such debtors for security of their said debts or if the said Merchants or others have given releases or discharges to the said Debtors of the said Debts, and that before the s^d Merchants or others could remove the said Hogsheads of Tobacco from the said Debt^{rs} Tobacco houses if any Sherriff within this Province shall come and seize such hogsheads of Tobacco so marked and nailed as afores^d That then and in every such case if the Party refuse to make and give to his said Creditor some other full satisfaction for their said severall debts, It shall and may be Lawfull for any two of their Majesties Justices of their respective Counties within this Province upon due proof made before them two of the Justices of the said Debt and of the said Sherriffs seizure as aforesaid, and the pties debt^{rs} refusing to make full Satisfaction to their Creditors for their said Debts at the said Creditors request to award him Execution with Cost against the Body Goods or Chattles of such Debtors to be Executed by the Severall Sherriffs for the Satisfactⁿ of the said Creditors Just debt in as full and ample manner as if the said Debts had been legally recovered by due Course of Law Provided that the said Justices do call before them both pties and witnesses for due proof the justness of the said debt and of the said Sherriffs seizure as aforesaid, and as well in that as in all other civill causes in their Majesties Courts within this Province, the Party cast shall satisfy the cost and court charges and that no sherriff within this Province shall seize any Persons Inhabiting within this Province their Tobacco houses or their Tobacco hanging or unstript, but only Tobaccos packt in Cask for leavyes nor marke any Merchants or others hh^{ds} of Tobacco received marked or nayled as aforesaid and remaining in the houses of any Person within this Province undisposed of by the Merchant (or other person for whom the same was Received for any cause whatsoever but only for Leavys, and any Sherriff so seizing or marking any Tobacco houses or seizing any hh^{ds} of Tobacco containing more then what is justly due to the Publick for Leavyes, shall pay for every such default the sum of two thousand pounds of Tobacco, the one half to their Majesties for the Support of Government the other part to the party grieved to be recov^d by Action at Law bill plaint or Information wherein noe Essoyn Protection or Wager of Law to be allowed.

Lib. L. L.
No. 1.

p. 105

p. 106

June 2^d 1692
Assented to by the
Councill Board

Signed p Ord^r
John Llewellyn Clk. }

June the 2^d 1692
The house of Assembly have
Assented

Signed p Ord^r
Hen: Denton Clk.

Lib. L. L.
No. 1.An Act for making high wayes and
making the heads of Rivers Creeks
Branches or Swamps passable for horse
and Foot

Whereas it is thought convenient and very much for the benefitt of the Inhabitants of this Province that ways and paths be marked and the heads of Rivers Creeks and branches be made passable Be it therefore Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the Authority of the same, That the Commissioners of each County shall once every year viz. upon some day between the first day of September and the twentieth day of October as the s^d Justices or Commissioners shall think fitt to appoint and meet together in their respective Counties to consult of what high ways are most fitt to be made and caused to be marked out the most conven^t high Ways and Paths through their countys, as also to make passable for horse and foot the heads of Rivers, Creeks, Branches and Swamps as are most convenient and nearest adjoyning to such highways already begun or made Provided that this Act be not apparent damage of any particular person by making or marking any highway or path through his yard, orchard or Cornfield & upon neglect of the said Commissioners for appointing overseers they shall be fyned four thousand pounds of Tobacco and Cask & every Overseer for the Highways the sum of two thousand pounds of Tobacco and Caske for his neglect and every Labourer who shall refuse or neglect the Labourer shall be fyned five hundred pounds of Tobacco and Cask. And the Clerk of the County Court to grant Warrants for the same ex officio on penalty of two thousand pounds of Tobacco in Cask, the one half of which fynes to be to their said Majestys for the support of Government the other half to the Informer or him or them that shall sue for the same, to be recovrd in any Court of Record within this Province by Bill plaint or otherwise wherein

p. 108 no Essoyn Protection or wager of Law shall be allowed, And that the said Overseers begin their respective work at or before the Tenth day of October and also on the Tenth Day of March yearly on penalty as aforesaid, and every Clerk of each County affix this Law at the Court house door so that Ignorance may not be pleaded.

June 2^d 1692

Assented to by the Councill Board.

Signed p Ord^r

John Llewelin Clk.

June the 2^d 1692

The house of Assembly

} have Assented

Signed p Ord^r

Hen: Denton Clk.

An Act against burners of Fences.

Lib. L. L.
No. 1.

Whereas divers the Inhabitants of this Province have suffered much damage by the notorious evill practices of ill disposed and malicious persons burning their Fences, And whereas an Act of Assembly Entituled an Act against burners of Fences form^rly made, and from time to time continued hath been found of great use and benefit to the Inhabitants aforesaid for the abuses aforesaid Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this Generall Assembly and the Authority of the same, that if any person or persons within this Province shall wilfully and Malitiously burne and destroy any Corne field pasture ground Orchard or other Fence whereby any the Inhabitants of this Province are harmed and endamaged the Person or Persons so offending being thereof Convicted by the Testimony of two Sufficient Witnesses shall suffer such penaltyes or undergoe such Punishment as the Laws of England Provide against such Malitious Persons and Practices of that nature or make restitution to the Person wronged, by Paying treble the damages susteyned thereby as the Justices before whom such cases shall come shall determine

p. 109

June 2^d 1692

June the 2^d 1692

Assented to by the Councill board.

Signed p Ord^r John Llewellyn Clk.

} The house of Assembly
have Assented.
Signed p Ord^r

Hen: Denton Clk.

An Act for the Preservation of the
severall Harbours wthin this Province

Whereas divers persons as well the Inhabitants of this Province as Forreigners hither to Trading in Ships of great burthen as also in other smaller Vessells have notwithstanding Laws formerly Enacted against the unloading of ballast in the Creeks or Harbours where they usually ride within this Province in contempt of the said Laws or by pleading ignorance of them notwithstanding the Secretarys of this Province were by the said Act oblieged for the time ensuing the Publication thereof, to deliver unto every respective Master a Copy of the said Law for such fee or Reward as by the said Law was limitted and allowed aⁿually unloaded and Cast forth their ballast in such Creeks and Harbours where they usually ride to take in their loading to the great damage of the cheifest & most Eminent Harbours within this Province by reason of soe great number of ships as yearly in them do reside for preven-

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Lib. L. L. tion whereof for the future Be it Enacted by the King and.
 No. 1. Queens most Excellent Majesty by and wth the advice and
 consent of this present Generall Assembly & the Authority of
 the same, That from and after the Publication of this Act no
 Person or Persons whatsoever whither Inhabitant or Forreigner
 here Trading in ships or Vessells of great^r or lesser burthen
 having a Deck shall unload or Cast out of their said Ships or
 Vessells any kind of ballast into the Harb^{rs} or Creeks where
 they usually ride and do not carry it to the Shoar and lay it
 above High Water Marke shall for every such default forfeit
 and pay two thousand pounds of Tobacco, the one half to Our
 Sovereign Lord and Lady the King and Queen to be Em-
 ployed for the Support of Gov^rment and the other Moyety to
 him or them that shall sue for the same to be recovered by
 Accon of debt or Information wherein no Essoyne Protection
 or Wager of Law to be allowed.

p. 111 And be it further Enacted by the authority aforesaid by and
 with the advice and consent aforesaid, That every and respec-
 tive Naval Officer within this Province or Collector for the
 time being or that shall hereafter be during the continuance
 of this Act from the Office where the Originall Transcript of
 the Body of the Laws shall be kept signed by the Keeper of
 the said Laws and the same Affix at their respective Office
 doors to the End all Commanders and Masters of Ships or
 other Vessells dect as aforesaid may have due Cognizance
 thereof on forfeiture of the sume of two thousand pounds of
 Tobacco one half thereof to Our Sovereign Lord and Lady
 the King and Queen to be Employed for the use intent and
 purpose aforesaid the oth^r half to the informer to be recovered
 as aforesaid any thing in the form^r Act to the Contrary hereof
 notwithstanding.

June 2 ^d 1692	June the 2 ^d 1692.
Assented to by the Councill Board	} The house of Assembly } have Assented
Signed p Ord ^r	
John Llewelin Clk.	
	Signed p Ord ^r Hen: Denton Clk.

An Act for regulating Ordinaries and
 limmitting the number of th^m withⁿ this Province.

For the better regulating ordinaries keep^{rs} and Innehold^{rs}
 within this Province for the future Be it Enacted by the King
 & Queens most Excellent Majesties by and with the advice
 and Consent of this p^rsent Generall Assembly and by the
 p. 112 Authority aforesaid That from and after Publication hereof
 the Comiss^{rs} of each County Courts and the Mayor Recorder

and Aldermen of the Citty of St Maries at the Mayors Court be and are hereby Authorized from time to time and as often as need shall require, to grant Lycences to such person or persons as they shall think fitt to be Ordinary keepers and Inneholders for the keeping of Ordinarys and Houses of Entertainment for so long time and in such and so many places within their Severall and respective Counties and Citty aforesaid, for the ease and Convenience of the Inhabitants Travellers and Strangers as to them respectively shall seem meet, for which Lycences the said Persons that shall be so Lycenced to keepe Ordinarys shall at the time of his or their taking of such Lycence or Lycences, be bound and obliged to pay unto the Governor of this Province for the time being, if he or they keep Ordinary within the Citty of St Marys or within two Miles thereof two Thousand pounds of Tobacco yearly for a Fine for every such Lycence or if he or they keep ordinary in any County within this Province twelve hundred pounds of Tobacco, an give Bond for due Payment thereof. And it is hereby furth^r Enacted by the Authority aforesaid by and with the advice and consent aforesaid That the clerk of each respective County Court within this Province and the Clerk of the Mayo^{rs} Court of the said Citty, shall Cause such Lycence and the Fynes for granting such Lycences and the Security given for the Payment and Security thereof, to be duly Entred upon Record in their Severall Courts and then Transmitt the said Bonds to the Justice of the Provinciall Court for their Majes^{ts} use for which said Lycences and Bonds such ordinary keepers shall pay to such respective Clerks sixty pounds of Tobacco and no more And be it further Enacted by the Authority aforesaid by and with the advice and consent aforesaid That the Commission^{rs} of the County Courts and the said Mayor Recorder and Aldermen of the said Citty be and they are hereby Impowered & Authoriz'd at their severall County Courts and Mayo^{rs} Court in the month of January and in the month of August half yearly in every year during the Continuance of this Act having sumoned every respective Ordinary keeper within their respective Countys and Citty then and there to appear before them to sett and Assess the Rates and prizes of all Liquors whatsoever (in this Act not hereafter mencon'd) by them the said Ordinary keepers vended or to be vended for the year ensuing, and so for every year during the Continuance of this Act Which rates and prizes so to be Sett assessed limitted and appointed by the Comission^{rs} aforesaid and by the Magistrates of the Citty aforesaid shall be by their Severall and respective Clerks fairly Transcribed and Sett up at their Severall and respective County Courts and Citty aforesaid, in some publick place or places there, That

Lib. L. L.
No. 1.

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Lib. L. L. any pson or psons may peruse the same, for which sums and
 No. 1. Tables of prizes every Ordinary keeper shall pay to such
 Clerk the sum of forty pounds of Tobacco And any Ordinary
 keeper or Innholder that shall after setting and Assessing the
 rates and prizes afores^d directly or indirectly take Exact
 p. 114 demand or receive for the prize and pay for any such Liquors
 for which the Rates and prizes so assessed as aforesaid, shall
 for every such Offence forfeit and pay the sum of five hundred
 pounds of Tobacco one half thereof to their Majesties, and
 the other to him or them that shall informe and sue for the
 same, and loose such debt so unjustly charged Exacted and
 demanded the said forfeiture to be recovrd in any Court of
 Record within this Province wherein no Essoyn Protection or
 wager of Law to be allowed, And every such Ordinary keeper
 that shall demand Exact or receive above the sum of Ten
 pounds of Tobacco p Gallon for small Beer, twenty pounds p
 Gallon for strong Beer, for a nights lodging in a Bed four
 pounds of Tobacco, for a Peck of Indian shel'd corne or oats
 for a horse twelve pounds of Tobacco, for pasturage for an
 horse p night six pounds of Tobacco, for Hay or Straw for an
 Horse p night Ten pounds of Tobacco, shall also pay and
 forfeit for every such Offence the like sum of five hundred
 pounds of Tobacco, one half thereof to their said Majesties,
 and the other half to him or them that shall informe or sue for
 the same, to be recovered as afores^d and loose his debt so un-
 justly charged as aforesaid And to the intent that all Persons
 Inhabitants Travellers & Strang^{rs} may be certain of Sufficient
 accomodation for themselvs and horses, That every Ordinary
 keeper or Inholder to be Lycenced as aforesaid shall within
 six months after granting their respective Lycences be and
 p. 115 are hereby obliged to provide and mainteyn (if the said Ordi-
 narys be kept at the Court house of the County or at the
 Citty) twelve good Substantiall beds wth Coverings for the
 same, And if the said Ordinary be in any other part of the
 Country then the Court house aforesaid to provide six good
 beds at the least under the penalty of Ten thousand pounds
 of Tobacco, one half to their Majesties and the other half to
 the Informer or him or them that shall sue for the same, to be
 recovered by bill plaint or information in which no Essoyn
 Protection or wager of Law to be allowed Provided allway's
 that no Person or Persons so Lycenced or to be Lycenced to
 keep Ordinaries as aforesaid, shall during the time of such
 their keeping Ordinaries as aforesaid be Justices of the Peace
 nor Comissioners in any County Courts within this Province,
 nor Mayor Recorder nor Alderman of the said Citty of S^t
 Maries any thing in this Act to the Contrary notwithstanding
 And be it farther Enacted by the Authority aforesaid by and with

the advice & Consent aforesaid, That if any Ordinary keeper keeping evill Rule and Order in his house and suffering Extraordinary drinking fight^s and Quarrelling in his house, upon Complaint made thereof to the Justices of the County Court of such Ordinary keepers misbehaviour of himself or keeping evill Rule in his house the said Justices of the said County Court may and are hereby Authorized and Impowered to suppress such Ordinary and call in such Lycence And be it further Enacted That any Ordinary keeper disabled or suppressed as aforesaid or any other pson that shall presume to keep Ordinary without Lycence first had and obteyn'd as aforesaid, shall for every month he or they shall keep Ordinary as aforesaid forfeit and pay Tenn thousand pounds of Tobacco, one half to their Majesties and the other half to him or them that shall sue for the same, to be recovered in any Court of Record within this Province by bill plaint or information wherein no Essoyn Protection or Wager of Law shall be allowed And lastly it is Enacted by the Authority aforesaid That the Justices of the Provintiall Court, the Com̄missioners of the respective County Courts shall give this Act in Charge to the severall grand Jury's as also to the severall Com̄miss^{rs} of the respective Courts, and the Magistrates of the said Citty to their Severall and respective Constables to Enquire into the breach of this Act and into all disorders Committed in the said Ordinaries and present the same if any be to the said Severall Courts there to be Examined and Punished according to Law, this Act to continue for three years or to the End of the next Generall Assembly which shall first happen

Lib. L. L.
No. 1.

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June 4 th 1692	June 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewelin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for the settling of a standard wth
English weights and measures within the
Severall & respective Counties in this Province.

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Whereas dayly Experience sheweth that much fraud & deceit is practiced in this Province of Maryland by false Weights & Measures for preventing whereof for the future Be it Enacted by the King and Queens most Excellent Majesty by and with the advice & consent of this present Generall Assembly and the Authority of the same, That no Inhabitant or Trader hither shall buy or Sell or otherwise make use of

- Lib. L. L. in Trading any other Weights or Measures then are used and
 No. 1. made according to the Statute of Henry the Seventh King of
 England in that Case made and Provided, and for discovery
 of abuses of this nature, Be it Enacted That the Justices of the
 severall County Courts shall from time to time as often as
 need shall require appoint some able or discreet person in
 their County living and residing, convenient for the County
 to take care of and look after and preserve the standard
 weights and measures that at present are remaining in their
 respective counties, which persons so by the Justices appointed
 are hereby required within twelve months after the Publication
 of this Law at furthest to provide all such Weights and
 Measures as are wanting according to direction of a former
 Law of this Province, Intituled an Act for the providing of a
 Standard with English Weights & Measures in the severall
 and respective Counties within this Province, so that the same
 standard do contain in each County twelve half hundred
 p. 118 Weights, a quarter and a half quarter of a hundred a Seaven
 pound weight, four pounds weight two pounds and one pound
 weight together with six stamps for the marking and stamp-
 ing of stilliards and weights the said severall stamps to be
 mark't according to the directions of the abovesaid Act and
 Cecill County to be marked with the Letter K and also brass
 measures of Ell and yard to be Sealed in England, likewise a
 Sealed Bushell Peck and Gallon of Winchester Measure with
 a Gallon, Pottle, Pint, half pint of wine measure with three
 burnt stamps for the wooden measures and three other stamps
 for the Pewter Measures, such Person or persons so appointed
 procuring the same or what is wanting to make good the
 severall standard aforesaid To be allow^d and paid their charge
 and disbursements in the County Levy for the same, To which
 standard all persons whether Inhabitants or Forreign^{rs} are to
 repair and bring their stilliards with which they receive their
 Tobacco yearly in every year to be stamp'd Tryed and Num-
 bred, for which they are to pay to such Person keeping the
 Standard aforesaid, two shillings for every time such Stilliard
 shall be Tryed and Stamped as aforesaid, and every Person
 shall have their Barrells which are to contein five Bushells at
 least, together with their bushell half bushell Peck, Gallon,
 Pottle, quart and Pint if they make use of the same or any of
 them in buying or selling by shall likewise have them tryed
 and stamp'd at the standard aforesaid for which they shall pay
 for the Barrell one shilling for all other measures six pence
 p. 119 apeice under the penalty of one thousand pounds of Tobacco
 to any person refusing or neglecting the yearly Tryings and
 Stampings of his Stilliards as aforesaid and the sum of five
 hundred pounds of Tobacco to any Person selling by any the

measures aforesaid refusing and neglecting to have them
 Tryed and Stampd as aforesaid. The one half of which for-
 feitures to be to the use of the Poor of the Parish in which the
 said Offendor shall dwell or render the other half to the
 Informer or Informers to be Recorded in any Court of Record
 within this Province, by Action of debt bill plaint or Informa-
 tion wherein no Essoyn Protection or wager of Law to be
 allowed And if any person or persons shall refuse to pay any
 Tobacco by such Stilliards tryed & stampd as aforesaid and
 shall thereby Compell the Owner of the same to have them
 Tryed over again within the year, if the Stilliards are True,
 such person so refusing or Compelling as afores^d shall pay for
 the Trying of the same, but if not the owner of the Stilliards
 to pay for the same, And if any person or persons having the
 keeping of such Standards as aforesaid, shall neglect or refuse
 to supply the defects of the same as is before Exprest, & also
 to provide a Standard where there is none such persons so
 neglecting and refusing shall be fined two thous^d pounds of
 Tobacco to the uses aforesaid to be recovered as aforesaid.

Lib. L. L.
 No. 1.

June 4 th 1692	{ Assented to by the	June the 2 ^d 1692
	{ Councill Board	{ The house of Assembly
Signed p Ord ^r		have Assented.
John Llewellyn Clk.		Signed p Ord ^r
		Hen: Denton Clk.

An Act for the Advancement of Coines.

p. 120

Whereas by Experience it is found that the want of ready
 money in this Province is a very great hindrance and much
 Impedes the Trade thereof; and that without ready Money no
 Encouragement can be given to handicrafts and Tradesmen
 either to come or continue in this Province Be it therefore
 Enacted by the King and Queens most Excellent Majesties
 by and with the Advice and Consent of this present Generall
 Assembly and the Authority of the same for the reasons afore-
 said and for Encouraging of such as shall bring money into
 this Province, That all Coines (except the Coine of our Sov-
 eraign Lord & Lady the King and Queens most Excellent
 Majesty of England) shall be advanced and paid taken and
 received by all psons whatsoever for the full Value in Money
 sterl. as by this Act is hereafter nominated and enjoyned (That
 is to say) That every New England shilling shall pass and be
 deemed to Pass and shall be paid and received for twelve
 pence sterl. and every New England six pence for six pence
 sterl. and either of the said Coines in lesser or greater peices
 to be advanced the sum of three pence proportionable in
 every shilling or twelve pence, Also every French Crown

Lib. L. L. peice of Eight Rix Dollar at Six shillings sterl. Ducatoon at
 No. 1. Seaven shillings and six pence sterl which said four Coins in
 p. 121 greater or lesser pieces to be advanced as aforesaid, Also all
 oth^r Coins of silver or Gold fforraign or not fforraign (Except
 before Excepted) that are or shall be Lycenced to be Exported
 out of the Kingdome of England and passable in the said
 Kingdome shall (Except base Coins) shall be paid taken and
 received with the advance of three pence Sterl. in the Value
 of twelve pence in every piece proportionable. And it is
 further Enacted that all such Monies and Coins so advanced
 as aforesaid, shall be received and taken to the Value afore-
 said in all Payments to be contracted for and paid in ready
 money under the pain upon sufficient proof made of such
 person or persons so refusing to accept thereof for or in Satis-
 faction of any debt due by bill contract or Accompt or other-
 wise at such rates and advance aforesaid shall loose his or
 their debt or debts so due as afores^d never to be recovered of
 the Debtor in any Court of Record, within this Province or
 by any other means whatsoever, any Law useage or Custome
 to the Contrary notwithstanding And be it further Enacted by
 the Authority aforesaid That no person or persons whatso-
 ever Stranger or Inhabit^{ts} within this Province shall export or
 attempt to export out of this Province any of the aforesaid
 Coyns or money so advanced as aforesaid under the paine
 and forfeiture of the said money so Exported or intended to
 be Exported as aforesaid, one half or Moiety thereof to Our
 Sovereign Lord and Lady the King and Queen their Heirs or
 p. 122 Successors for the support of the Government, the other half
 to the Informer or him or them that shall sue for the same to
 be recovered in any Court of Record in this Province by bill
 plaint or Information wherein no Essoyn Protection or Wager
 of Law to be allowed Provid^d that nothing in this Act shall be
 taken and Construed to alter the Laws already made or which
 shall be made in refferr^{ce} to the Imposition upon Tobacco
 according to the Act of Assembly, and fourteen pence per
 Tun, but that the same be paid in Money Sterl. according as
 the said Laws direct any thing in this Act to the Contrary
 notwithstanding And be it further Enacted by the authority
 afores^d that all Officers whatsoever having holding & Enjoying
 any place of proffit under their Sacred Majesties or their Gov-
 ern^r for the time being, to whom any Fee or Fees are or shall
 be legally due and payable for doing Executing or performing
 any Matter or thing belonging to their respective places or
 Offices, and all and every Lycenced Ordinary Keeper within
 this Province are hereby obliged to receive and take after
 the rate of six shillings of such advanced Coins as afore-
 said, in lieu and instead of every hundred pounds of Tobacco

as afores^d due and payable (that is to say the said Officers for their Fees and the s^d Ordinary keepers for their Accommodations. Provided the said so advanced Coyns in money numbred be tendred and paid to such Officer or Officers at the very first Employing of such Officers, or at the taking out of any Process Act or thing belonging to the said Officer and the Ordinary keeper at time of receiving such Ordinary Accommodations But in default such present pay in such Coyn be made, Then all such ffees and Ordinary Debts shall be made, That then all such ffees and Ordinary Debts as aforesaid shall be paid in Tobacco as the same usually before the making of this Act was paid and satisfied And be it Enacted by the Authority afores^d by and with the advice and Consent aforesaid, That any Planter or Planters Inhabitant or Inhabitants within this Province or any oth^r person whatsoever, That from and after the Twentieth day of October next ensuing shall dispose of lay out or deal with any Merchant or other Trader in this Province for any Tobacco or Tobaccos for ready Goods Wares or Merchandizes or for Money Sterl. to be paid in England such Planter or other Person whatsoever so laying out disposing or dealing for any Tobacco as aforesaid, shall and are hereby Enjoynd & required to accept take and Receive of any such Merchant Trader or dealer as aforesaid, the sum of three shillings in such advanced Coynes as aforesaid in part of pay for every hh^d of Tobacco in hh^{ds} and every quantity of four hundred pounds of Tobacco in bulk That he or they shall so lay out dispose of or deal for as aforesaid under the penalty of forfeiting every such hogsh^d of Tobacco so laid out disposed of & dealt for as aforesaid or Value thereof; And also all such Merchants Traders or dealers as aforesaid shall and are hereby enjoynd to pay the said sum of three shillings to such Planter or other Person whatsoever in part of pay for every hogshead of Tobacco or quantity of four hundred pounds in bulk That he or they shall so purchase as aforesaid at the time of the delivery of such goods wares or Merchandizes for purchase of the said Tobacco as aforesaid, under the Penalty of the forfeiting of all such Goods Wares and Merchandizes or Money Sterl. to be paid in England which shall purchase such Tobacco as aforesaid, The one Moiety of which forfeitures shall accrew to Our Sovereign Lord & Lady the King and Queen their heirs or Successors for Support of this Government, The other Moiety to him or them that shall sue for the same in any Court of Record within this Province, wherein no Essoigne or wager of Law to be allowed This Act to endure for three years.

Lib. L. L.
No. 1.

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June 7 th 1692	June the 2 ^d 1692
Assented to by the Councill Board.	} The house of Assembly have Assented
Signed p ord ^r W. Taylard Clk.	
Assist.	
	Signed p Ord ^r Hen: Denton Clk.

Lib. L. L.
No. 1.

An Act against the Exportation of Wooll
and Old Iron.

Whereas the Exportation of wool and Old Iron is Generally
conceived to be much prejudiciall to the Commonwealth of
p. 125 this Province Be it therefore Enacted by the King & Queens
most Excellent Majesties by and with the advice consent of
this p^rsent Generall Assembly and the Authority of the same,
That whatsoever person or persons shall Export or Ship on
board to the intent to Export out of this Province either Wooll
or Old Iron, shall for every of their Offences in so doing pay
as followeth (Viz^t) for every pound of Wooll fifty pounds of
Tobacco, and for every pound of Iron Teñe pounds of Tobacco,
the one half to their Majesties for Support of Government,
the other half to the Informer to be recovered in any Court of
Record within this Province by bill plaint or Information, this
Act to endure for three years or to the end of the next Gen-
erall Assembly which shall first happen

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Councill Board.	} The house of Assembly
Signed p Ord ^r	} have Assented.
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act restraining the Exportation of
Leather and Raw Hydes, Deer and Elk skins
out of this Province for the encouragement of
Tann^{rs} and Shoomakers.

Whereas it is found by Experience That the Exportation of
leather raw and undressed Tanned and untanned hides and
deer and Elke Skins which are frequently Exported and
p. 126 Carried out of this Province tending much to the great
hindrance of all Tanners Shoemakers and other Tradesmen
whose Trades are supported and Carryed on by leather and
so necessary to be Encouraged and advanced for the good
and benefitt of this Province and all the Inhabitants thereof
being of great use and Comodity for Cloathing in this Prov-
ince for Prevention whereof for the future, the Governor
Councill and Dellagates of this Present Generall Assembly do
pray that it may be Enacted And be it Enacted by the King
and Queens most Excellent Majest^{is} by and with the advice
and consent of this present Generall Assembly and the
Authority of the same that from and after the Publication
hereof, that what p^rson or Persons soever shall endeavour or
attempt to Export out of this Province either by Land or by
water, any raw Tannd or untannd Hides dressed or undressed

skins whatsoev^r of any Ox, Steer, Bull, Cow, Calf, Deer or Elk by shipping the same on board any ship or Vessell bound for any other Port or place or loading on horse back or any other Carriage by Land for the intent and purpose as aforesaid, shall for the first Offence forfeit all such skins or Hydes so attempted to be Exported or Carryed out of this Province as afores^d and likewise the sum of twenty shillings sterl. for every skin or Hyde as aforesaid, and for every second Offence he or they Transgressing as aforesaid, shall forfeit all such skins and Hydes so attempted as aforesaid, and the sum of forty shillings sterl. for every Skin or Hyde as aforesaid, and for every Offence after that he or they Transgressing as aforesaid, shall forfeit all such skins & hydes so attempted as aforesaid, and also the sum of three pounds sterl. for every such skin or Hyde so endeavoured or attempted to be Exported or Carryed out of this Province as aforesaid, the one Moiety thereof to our Sovereign Lord and Lady the King and Queen their heirs & Successors for the support of Government, the other Moiety to him or them that shall informe or sue for the same, to be recovered in any Court of Record within this Province wherein no Essoyne Protection or Wager of Law to be allowed, and for the better observance of the true intent and meaning of this Act, and to the end that all fraud therein may be prevented and taken away Be it further Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid, That from and after the Publication hereof in each respective County within this Province, shall at any time sett or dispose of any such skins or Hydes aforesaid to any Forreigner or Stranger whither Merchant or Mariner or other person whatsoever neither shall any Forreigner or Stranger Merchant Marriner or other person whatsoever p^rsume to buy or purchase of any the Inhabitants or natives of this Province whither English Indians or negroes any such skins or Hydes as aforesaid under penalty of forfeiting all such skins or Hydes so sold purchased and disposed of as aforesaid, and for every Hyde so sold purchased or disposed of as aforesaid the sum of twenty shillings sterl for the first Offence and for the second Offence every skin or Hyde so sold purchased or disposed of as aforesaid, and for forty shillings sterl. for every such skin or Hyde, and for every offence afterwards shall forfeit every such skin or Hyde so sold purchased or dispos^d of as aforesaid, and three pounds sterl. for every such skin or hyde as aforesaid, the one moiety thereof to Our Sov^raign Lord and Lady the King and Queen their Heirs and Successors for the Support of Government, the other Moiety to him or them that shall informe or sue for the same, to be recovered in any Court of Record within this Province, where-

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No. 1.

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Lib. L. L. in no Essoyn Protection or wager of Law to be Allowed, and
 No. 1. the Governour Councill and Delagates of this Present Generall Assembly do humbly pray that it may also be Enacted And be it further Enacted by the King & Queens most Excellent Maj^{ty} by and with the Advice and Consent aforesaid and the Authority of the same, That from & after the Publication hereof; all Masters of ships & other Vessells whatsoever Trading Trafficking & coming into this Province, shall be and are hereby required at such time when he or they enter such Ship or Vessell to give bond wth sufficient security to the Govern^r of this Province for the time being, that he or they shall not receive take in or put on Bord his or their ship or Vess^l ships or Vessells any such skins or Hydes as afores^d this p^rsent Voyage, this Act to endure for 3 years or to the end of the next Gen^l Assembly w^{ch} shall first happen

June the 2^d 1692

June 2 ^d 1692	}	The house of Assembly
Assented to by the Councill board		have Assented
Signed p Ord ^r John Llewellyn Clk.		Signed p Ord ^r Hen: Denton Clk.

p. 129

An Act for the preservation of Orphans Reall Estates.

Whereas a good and profitable Act formerly made and the same is renewed and made this Sessions of Assembly Entituled an Act for the better Administration of Justice in Probate of Wills granting Administrations recovery of Legacies and Securing filliall Portions, the which said Act or any other heretofore made, hath not any ways Effectually Provided against Wast Sale and destruction Comitted of in or upon the Reall Estate of Orphans to and with dwelling houses out houses Lands Woods Orchards and Fencing otherwise then what the Laws of England hath prescribed, which is thought too strict and severe for the present Constitution of this Province where men cannot enjoy the benefitt of the said Land without clearing of the same, in doing whereof Timber must be fallen which by the Law of England aforesaid is waste and the damag^s ensuing thereupon is farr greater many times then the full Value of the Land here, and it is most apparent that notwithstanding the Parents of such Orphans are persons of great Estates whilst living, yet their Orphants or heirs Seldome come to Possess or enjoy any thing more then the Lands and Plantations by them left, for the remedy whereof for the future Be it Enacted by the King and Queens most Excellent Majesties by and with the Advice and Consent of this present Generall Assembly and the Authority of the

same that from and after this present Sessions of Assembly
all Guardians of Orphans that shall have any reall Estates in
Lands with the Orphant or Orphants to whom the same
belongs and Committed to them other then such whom the
Testator in his life time by his last will and Testament hath
otherwise ordered and disposed of wthin one month after
taking upon him or her the Guardians^p of such Orphant or
Orphants shall with one Comiss^r of the said County where the
said Land lyeth & two other Persons of good repute and well
skilled in buildg and Plantation Affairs, neither of them being
of kinn indebted or otherwise interrested in either Orphant or
Guardian enter upon the said Land or Plantation to such
Orphant or Orphants belonging, and view the dwelling
houses out houses Lands Orchards & Fencing that are upon
the said Plantation and then and there the said two Persons
so Qualifyed as aforesaid, shall take their Corporall Oaths
upon the Holy Evangelist by the said Commissioner to be
Administred, that Accord^s to the best of their skill and Judge-
ment they will make a just Estimate of the Anuall Value of
the said Land & Plantation and what dwelling houses out
houses and Orchards are upon the same, and in what repair
they are in, and in what part of the said Land they Judge the
said Guardian may be permitted further to clear upⁿ the said
Plantation as well to raise the yearly Rent so valued as afore-
said, as also towards his Charges Yearly in keeping the said
dwelling houses out houses orchards and Fences in sufficient
repair, and so by him to be left alway's having regard to leave
a proportionable part both for quality & quantity of the un-
cleared land for the benefitt and advantage of the Orphant or
Heir when at Age to Possess the said Land or Plantaⁿ as also
the Orphants Maintenance out of the same, where the profitts
of personall Estates be not sufficient to maintaine him or them
and the same to certify under their hands and Seals attested
by the Commiss^{rs} so administring the oath as aforesaid in the
County Court next ensuing after such View so had and made
as afores^d and there to remain upon Record untill the said
Orphant or Heir come to age, which Certificate so Entred and
remaining upon record as afores^d shall be sufficient Evidence
in Law for the said Orphant or Orphants to recover double
damage in any Action of Wasts by them to be brought when
at Age for any Wast Sale or distruccōn Comitted or done in
any of the premisses other then what the persons have certified
& thought necessary with due respect had to all circumstances
& matt^{rs} aforesaid. And be it farther Enacted by the Authority
aforesaid that the Comission^{rs} of each County Court within
this Province by vertue of this Act shall have full Power from
time to time and at all times hereafter upon presentment by

Lib. L. L.
No. 1.
p. 130

p. 131

Lib. L. L. the Grand Jury or any other Information to them given of any
 No. 1. such Wast sale or destruction made done or Committed upon
 p. 132 any Orphans reall Estate by any such Guardian by legall war-
 rant to Cause the s^d Guardⁿ to appear before them in the said
 County Court, and if upon Examination thereof the said in-
 formation be sufficiently proved that the said Guardian shall
 not be of Sufficient ability to answer the damages of such waste
 by him Committed contrary to this Law when Orphans come
 to age that then the said Commission^{rs} do require the said
 Guardian to give Sufficient Security to make Satisfaction to
 s^d Orphan or Orphans when at Age as aforesaid and upon
 refusall thereof to remove such Guardian from the s^d Planta-
 tion or Lands and to put such other into Possession thereof as
 the said Orphan or Orphans if at Age to choose his her or
 their Guardian shall Elect, and if not then such other as the
 said Commissioners shall think meet, being willing to take
 the same, who shall Enjoy the said Land or Plantation, Comittg
 no wast and performing all such Matters and things at his
 Entry thereupon as is by this Act required untill the said
 Orphant comes to age and the said person so chosen or by
 the Justices put in Possession as aforesaid shall in the name
 and to the use of the said Orphant bring his Action of Wast
 against the former Guardian for the damages by him comitted
 And be it further Enacted that all Matters and things Con-
 tained in the Act for the better Administration of Justice in
 Probate of Wills granting Administrations recovery Legacys
 p. 133 and securing of Filiall Portions in this Law for preservation of
 Orphans Reall Estates be by the Commissioners of every
 County Court in this Province so often as the Grand Jury
 there shall be summoned give the same in charge to them and
 shall also every June Court yearly and in every year hold a
 Court according to Act of Assembly solely and wholly to putt
 in Execution the Matters & things in this Law, and the said
 Law for the better administration of Justice in Probate of
 Wills and granting Administration recovery of legacys and
 securing filiall Portions conteined upon the penalty of five
 hundred pounds of Tobacco each Justice, the one half thereof
 to their said Majesties their heirs and Successors for the Sup-
 port of this Government, the other half to him or them that
 shall sue for the same to be recovered in the Provinciall Court
 by bill Plaint or Information wherein no Essoyn Protection or
 Wager of Law to be allowed

June 2^d 1692

Assented to by the Councill Board

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692The house of Assembly
} have assentedSigned p Ord^r

Hen: Denton Clk.

An Act concerning what shall be
allowed to the Grand Jurys that are
sumoned out of the body of this Province
to attend Provinciall Courts.

Lib. L. L.
No. 1.
p. 134

Forasmuch as the Laws of this Province have not as yet provided for the Satisfaction of those persons that are summoned as Jurors out of the body of this Province to attend Provinciall Courts Be it Enacted by the King and Queens most Excellent Majes^{ts} by and with the advice & consent of this present Generall Assembly and the Authority of the same, That those Persons that are Sumon'd upon the Grand Jurys out of the body of this Province shall from henceforth be allowed for every Court that they shall so attend as Jurors, two thousand five hundred pounds of Tobacco for their Expences and noe more, and that every County Leavy five hundred pounds of Tobacco yearly to be paid to the Ordinary keepers att S^t Maries that entertains them.

June 4 th	June the 2 ^d 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	have Assented.
John Llewelin Clk.	Signed p Ord ^r
	Hen: Denton Clk:

An Act concerning those Servants that
have Bastards.

p. 135

Whereas divers women Servants within this Province not having husbands living with them have been gotten with child in the time of their Servitude to the great dishonour of God and apparent damage of Masters or owners of such Servants, for remedy whereof Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and Consent of this Present Gen^l Assembly and the Authority of the same that every such mother of a Bastard Child not able Sufficiently to prove the pty charged to be the begetter of such Child, in every such Case the Mother of such Child shall shall only be lyable to satisfy the damage so susteined by Servitude or otherwise as the Court before whom such Matter is brought shall see Convenient Provided that where the Mother of any such child as aforesaid shall be able to prove the charge by Sufficient Testimony of Witnesses Confession of the party Charged or pregnant circumstances agreeing with her declaration in her Extremity of her pains or throes of Travell and her Oath taken by some Magistrate before the time of her delivery of such Bastard Child and not after her delivery then the party Charged if a Servant to Satisfy half

Lib. L. L. the said damage if a freeman then the whole damage by Ser-
 No. 1. vitude or otherwise as the Court before whom such matter is
 brought as aforesaid shall think fitt, and if any such Mother
 p. 136 as aforesaid be able to prove by such Testimony or Confession
 of the Party charged being a Single person and a freeman,
 did before the begetting of such Child promise her Marriage,
 that then he shall be at his choice either to performe his
 promise to her or recompence her abuse as the Court before
 whom such matter is brought shall see Convenient, the quality
 and Conditions of the Persons considered, this Act to Endure
 for three years or to the end of the next Generall Assembly
 June 4th 1692 June the 2^d 1692
 Assented to by the Councill Board. } The house of Assembly
 Signed p Ord^r } have Assented
 John Llewellyn Clk. Signed p Ord^r
 Hen: Denton Clk.

An Act Providing what shall be good
 Evidence to prove Forreign Debts.

Whereas divers Persons in the Kingdome of England and
 other Places have in their hands Bonds of divers and Sundry
 Persons now residing in this Province and send them to Cer-
 tain Attorneys to be put in suite against the said Debtors here
 which for want of a Law to Explain and Ascertain what shall
 p. 137 be Sufficient proof and Evidence for the proving the said
 Bonds to be the Act and Deed of the Debtors and by them to
 be Sealed & delivrd neither is there any way for the Debtors
 to discharge themselves of the same if they have Satisfied the
 same as by bringing the Creditor upon his Oath to declare
 and sett forth if he have received the said Debts or any part
 thereof; or whether there be not any Accounts between the
 Creditor and Debtor whereby he may discount the same or to
 prove his release, the Witnesses living remote and Impossible
 to bring them viva-voce to give their Testimony therein
 which thing proovs often times very prejudiciall to both
 partys, to prevent which and to give redress therein for the
 future Be it Enacted by the King and Queens Most Excell^t
 Majesties by and with the Advice and Consent of this present
 Generall Assembly and the Authority of the same That all
 Debts of Record whither by Judgement Recognizance Deed
 Inrolled and upon Record the Exemplification thereof under
 the Seal of the Countys where the said Judgem^t was given or
 the said Judgement is Recorded shall be a Suffic^t Evidence to
 prove the same, and also that all other Debts by Bonds, Bills,
 Accounts or otherwise that shall from and after the Publication

hereof be sent hither to be put in suite against any person whatsoever living or residing within this Province shall be proved by the Oath of the Witnesses thereunto, before a Publick Notary or other Officer Lawfully Authorized thereunto of the country or Place wheresoever it shall happen the said Bonds or Bills shall be sent from, at which time and before which said Publick Notary or other Publick Officer shall be present, the Creditors who shall then likewise before such Publick Notary or other Publick Officer of the place so Authorized upon his Corporall Oath declare that the said Debt or any part or parcell thereof is not Satisfied, or that there is not any Accounts between the said Creditor and debtor by which the said Creditor may be likewise indebted to the debtor to the Value of the said debt or any part thereof for any matter or thing accrewed since the time of the date of the said Bond Bill or Instrument, or whither the said Creditor hath not given to the said Debtor any release for the same to be sent together with the proofs under the hands and Seals of the Publick Notary or other Publick Officer thereunto appointed, which if the Creditor shall refuse or neglect to performe or do, then the said Matter and thing by the said Publick Notary or other Officer so by them certified as aforesaid shall not be received as any Evidence to prove the said debt, and if the said Creditor be dead and his Executor or Administrator sue any such Bond Bill accompt or otherwise and sue any Debtor for the same, the Executor or Administrator in like manner before such Publick Notary or other Officer for that purpose appointed shall sett forth and declare upon their oath, whither or no they have not heard the Creditor in his life time Acknowledge that debt to be satisfied, or whither or not upon Sight of the Creditors book writings or accounts they have not seen Credit given to the Debtor since the day of the making of the said Bills Bonds or begining of the Account so sued for; all which in like manner is to be certified by the Publick Notary or other Officer thereunto appointed under his hand and Seale to be sent along to this Country, together with the Testimony of the Witnesses that have Testified to the said Bonds bills or Accounts or otherwise, all which if the said Executors or Administrators shall refuse or neglect to do, then the said Matter and thing by the said Publick Notary or other Officer appointed as aforesaid certified shall not be received in Evidence for Valid against the Debtor. Provided though the Proofs and Evidences be sufficient that the Plaintiff obtain Judgement for the said Debt no Execution shall Issue forth against the Defendant, untill the Originall be given or delivered up to the defendant or his Attorney or Sufficent and legall releases in Case the Originalls be lost.

Lib. L. L.
No. 1.

p. 138

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Lib. L. L. And be it further Enacted that all and every the Attorney
 No. 1. and Attornies who shall be Employed in the prosecution of
 such suits shall put in security to pay the defendant all such
 Cost and Charges as shall by the said Defendant be in that
 Case Expended, in Case the Plaintiff be cast in the suit
 Provided likewise that no Bill, Bond, Judgement Recognizance
 p. 140 Statute Merchant and of the Staple and other Specialty what-
 soever though proved and Certified as aforesaid, shall be good
 pleadable or admitted in Evidence against any person or per-
 sons in this Province wherein the Debtor and Creditor are
 both dead, and the debtor thing in demand or Action above
 twelve years standing.

June 4th 1692
 Assented by the Councill Board.
 Signed p Ord^r
 John Llewellyn Clk

June the 2^d 1692
 The house of Assembly
 have Assented
 Signed p Ord^r
 Hen: Denton Clk.

An Act prohibiting all Masters of
 Ships or Vessells or any other persons
 from Transporting or Conveying away
 any persⁿ or persons out of this Province
 wthout Passes.

Whereas severall persons freemen within this Province
 being Indebted to the Inhabitants thereof have been by Mas-
 ters of Ships and other Vessells Transported and by others by
 Land conveyed out of this Province, and also severall Ser-
 vants who had time by the Custome of the Countrey Condi-
 tion for Wages or Indenture to serve have been Transported
 and Conveyed away as aforesaid to the great and Manifest
 damage of their Creditors and Masters, The Delagates of this
 p. 141 present Generall Assembly having seriously considered the
 Inconveniency thereby accrewing to the good people of this
 Province do pray That it may be Enacted and be it Enacted
 by the King and Queens most Excellent Majesty by and with
 the Advice and Consent of this present Generall Assembly
 and the Authority of the same, that from and after the
 Publication hereof any person or persons whatsoever who
 shall intend to depart this Province shall give notice of such
 his intended departure by setting up his name at the Sec^{rys}
 Office for the full space of three whole months, and that if
 within that time no person shall underwrite, the person respec-
 tively so setting up his name as aforesaid, it shall then be Law-
 full for the Governor Chancellor or Secretary of this Province
 for the time being to Sign a Pass to any such Person to
 depart this Province, for which Pass the Party shall Pay to the

person signing the same, the sum of two shillings and six pence Sterl. And be it furth^r Enacted by the authority aforesaid, That any Masters of ships or Vessells or other persons whatsoever that shall Transport or convey out of this Province by Land or water any Freemⁿ being Indebted by bill, bond, Account or otherwise unto any Inhabitant without such Pass under the hand of the Govern^r Chancellor or Secretary of this Province for the time being as aforesaid, shall be lyable to satisfy all such debts Engagements and damages to the person or persons to whom such debt and damages respectively shall be due within this Province, unless the same be otherwise satisfied in some convenient time, or that in one Month he cause or procure such Freeman to return again to this Province whereby he may be lyable to Justice here. And every such person as aforesaid as shall Transport or Convey away out of this Province any Servant or Servants being Servants here by Condition for wages Indenture of or Custome of the Country shall be lyable to pay and satisfy unto the Master or owner of such Servant or Servants so carryed away, all such damages as he or they shall make appear to be justly due unto such Mast^r or owner for want of such Servant or Servants as the Court before whome such Cause shall be Tryed shall think fitt:

Lib. L. L.
No. 1.

p. 142

June 4th 1692

Assented to by the Councill Board.

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly
Assented.

Signed p Ord^r

Hen: Denton Clk.

An Act for encouragem^t of the Importaⁿ
of Negros & Slaves into this Province

Whereas severall of the good people of this Province have been discouraged to Import into or purchase within this Province any negroes or other Slaves, and such as have Imported or purchased any such Negroes or Slaves, have to the great displeasure of Almighty God and the p^rjudice of the Souls of those poor people neglected to instruct them in the Christian Faith or to induce or permitt them to receive the Holy Sacrament of Baptisme for the remission of their sins upon a mistake and ungrounded Apprehension, thereby becoming Christians, they and the Issues of their bodies are actually manumitted and made free and discharged from their Servitude & bondage Be it declared and Enacted by the King and Queens most Excell^t Majesties, by and with the Advice and Consent of this present Gen^l Assembly and by the Authority of the same, That where any Negro or Negros Slaves or slave being in servitude or bondage is or shall become Christian or

p. 143

Lib. L. L. Christians and hath or have received or shall at any time
 No. 1. receive the Holy Sacrament of Baptisme before or after his
 her or their importation into this Province the same is not nor
 shall or ought the same to be deemed adjudged construed or
 taken to be or amount unto amunition or free Enlarging and
 discharging any such Negro or Negros Slave or Slaves or any
 his her or their Issue or Issues from his her or their or any of
 their Servitude or Servitudes Bondage or Bondages. But that
 notwithstanding any such becoming Christian or Christians or
 receiving the Sacrament of Baptisme, every such Negro or
 Negroes slave and slaves and all and every the issue and
 issues of every such negro and Negros Slave and Slaves is are
 and be and shall at all times hereafter be adjudged reputed
 deemed and taken to be and remain in Servitude and bondage
 and Subject to the same Servitude and bondage to all intents
 and purposes as if he she or they or every or any of them was
 p. 144 or were in and Subject to before such his her or their becoming
 Christian or Christians or receiving of the Sacrament of Bap-
 tisme any opinion or Matter or thing to the Contrary notwith-
 standing.

June 4th 1692.

Assented to by the Councill Board.

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly

have Assented.

Signed p Ord^r

Hen: Denton Clk.

An Act for limitation of Officers Fees

The Burgesses and delagates of this present Generall
 Assembly taking into their Serious considerations the great
 Complaints heretofore and still made by diverse of the good
 people of this Province of the great extortion and oppression
 which is and hath been in this Province under Coulour of
 Office comitted by severall Officers and Ministers of this
 Province and every of their deputed Ministers Servants and
 Officers in Exacting unreasonable and Excessive fees from the
 good people of the same and for preventⁿ of the like abuses
 for the future, the Delegates of this p^rsent Generall Assembly
 pray that it may be Enacted And be it Enacted by the King
 and Queens most Excellent Majesties by and with the advice
 p. 145 and consent of this present Generall Assembly and the au-
 thority of the same, that from and after the Publication hereof,
 no officer or Officers hereafter mencōned in this present Act
 their Ministers Servants or Deputies by reason or Colour of
 his or their Office or Offices have received or take of any
 person or persons directly or indirectly any other Fees then

by this Act is hereafter Limited and allowed to the Severall Officers hereafter mentioned.

Lib. L. L.
No. 1.

To the Chancellor.

	£	s.	d.	lb. tob.
For the Seal of an originall Writt			6 or	6
For the Seal of a Recordari		1	0 or	12
For a Subp ^a ad respondendum w th three names in it		1	3 or	15
Every name more then three			6 or	6
For a Seal of a Proclamation of Rebellion		1	9 or	21
For a Comission of Rebellion	1	10	0 or	360
For the Seal for a grant for Lands of one hund ^d ac ^{rs} or under		10	0 or	120
For every hundred Acres above		1	0 or	12
For a Seal to a decree in Chancery	2	0	0 or	480
For the Seal to every Injunction	1	0	0 or	240
For the Seal to an Audita queerella		10	or	120
For every writt of Execution upon decree		13	6 or	162
For a writt of Covenant for passing a Fine		1	3 or	15
For the Seal of the Comiss ⁿ to take the Acknowledgement		10	0 or	120
For the Chancellors hand to a Writt of Assize	1	0	0 or	240
For the Seal of every Writt of Error	1	0	0 or	240
For the Seal of a Certiorari	1	0	0 or	240
For the Seal of a Supsedeas upon them	1	0	0 or	240
For the Exemplificat ⁿ of a grant of Land the same Fees as for a gr ^t of L ^d				
For the Chancell ^{rs} hand to a Writ of Covenant	1	0	0 or	240
For the Seal of a Mandamus Melius Inquirendum or Monstraverunt		10	0 or	120
For the Seal of a Comission to renew a County Court	2	0	0 or	480
For the Seal of a Supersedeas to a Comiss ⁿ of Rebell ⁿ or Supplicavit	1	0	0 or	240
For sealing a Sherriffs Patent for his Office	2	0	0 or	480
For sealing Dedimus Pottestatem to swear the Justices	1	0	0 or	240
For the seal of a Pattent of Denizcōn	2	0	0 or	480
For the Seal of an Exeat Provinciam		10	0 or	120

Fees due to the Judge in Testamentary Causes.

p. 146

For every Letter of Administration or Lett ^{rs} Testamentary	100
For every Bond	.60

Lib. L. L.	For the Oath to Exhibite an Inventory & so for every	}	.16
No. I.	Oath.		
	For a Warrant to Appraisers		.28
	For every warrant to Swear them		.28
	For every Comission to prove a Will		100
	For Recording Wills Inventoryes and Accounts p side.		16
	For Copying every Libell answer Replicat ⁿ or re-joinder p side.	}	16
	For every Order in Testamentary Causes		
	For every Citation		20
	For fileing Libells answers Replications		40
To the Secretary.			
	For a Recordari		12
	For a Sup ^a ad respondendum with three names.		.15
	For every name more then three		6
	For an Attachment of Contempt		18
	For a Proclamation of Rebellion		21
	For a Commission of Rebellion		120
	For an Injunction		240
	For an Audita Querela		120
	For a Writt of Covenant for passing a Fine.		15
	For a Comission to take the Acknowledgement		120
	For every writt of Assize		.30
p. 147	For a Comission to Fine Offic ^{rs} upon a Melius Inqui- rendum or Monstraver.	}	120
	For one Exeat Provinciam		
	For drawing an Instrum ^t under the Seal if the same Exceed one side computing Seaven Words to line and fifteen words lines in a side	}	50
	For Recording the same as before		
	For entring any other matter upon Record not exceed ^g half a side for a leaf	}	8
	If the matter entred upon Record be above half a side of a leaf computing fifteen lines in a side & Seaven words in line to a folio & every leaf in a folio		
	For Copying any Record the same Fees as for Recording.		
	For any Warrant or Lycence ag st or to one pson only not under the Seale	}	15
	For any Warrant or Lycence be against or to more then one then for each		
	For any other Pass or discharge not under the Seale.		15
	For search of the Record the first year		
	For Ditt ^o if above one years standing for every year after the Rate p annum.	}	4
	For fileing every Bill in Chancery		
	For every Court the same shall continue		.40

For every answering fileing	.36	Lib. L. L.
For the Oath to answer	12	No. 1.
For writing a Commission and Recording it and a bond for Sherriffe	240	
For writing & Record the Comiss ⁿ & dedimus potes- tem for County Courts.	350	
For every writt and returne	28	p. 148
For every writt and returne	28	
For every Supeena and returne	38	
For Fileing and Recording every declarat accompting fifteen lines to a side & seaven words to a line	16	
For Copy of the same as above		
For Entring an Appearance	12	
For imparliance Continuance or Refference	8	
For fileing a Plea if not a Speciall one	8	
if more prorato as before		
For Copying Plea if not a Speciall one	8	
Making up the Issue	32	
Rule to plead or Tryall	8	
Veni facias and returne	28	
Signing Judgement	24	
Entring Judgement	32	
Copy Judgement	32	
Fileing bill of Cost	16	
Copy bill of Cost	16	
Execution and returne	28	
Scire facias and returne	28	
Speciall Bayle	12	
Fileing and Recording any Demurer	16	
Writt of Enquiry of damages and returne	88	
Copy of Demurrer	16	
Drawing any protest and Recording it.	240	
For any other matter attested as Publick Notary and und ^r the Seale if the same Exceed one side prorato at 15 lines and 7 words	50	p. 149
For a Pattent for Land	120	
For proving of Rights p pole	2	
Entring of an Assignment not exceeding half a side.	16	
Entry of a Certificate for Lands as above		
Warrant for Land.	28	
Warrant for Resurvey	50	

Fees in Criminall causes as Fees in England.

All other Fees not herein comprized belonging to the Sec-
retaryes Office accordingly due to Officers in England prorato
in ready mony at one penny p pound.

Lib. L. L.
No. 1.To the Survey^r Generall & his Deputys.

To the survey of one hundred Acres or under one pound of Tobacco p acre for any Quantity above one hundred Acres, and under Two hundrd Acres for the first hundred as before, and half a pound of Tobacco for the rest by the Acre

If between two hundred Acres & five hundred Acres then for the first two hundred as before, and a quarter of a pound of Tobacco for all above.

For five hundred acres as before and for all above ten pounds of Tobacco p hundred Acres for every platt, allowing two platts for every Survey. That is to say one for the Party and another to be Entred upon the Surveyors Book ten pounds
p. 150 of Tobacco for the first one hundred Acres or under and after the rate of five pounds of Tobacco p centū for all above the first hundred Acres.

For Journey Fees if the place be distant from the Survey^{rs} house twenty miles or under forty pounds of Tobacco if above twenty miles and under forty then 80^l of Tobacco if above 40 miles and under 60 then 120^l of Tobacco and so prorato the party finding a boat and hands and necessary Provisions. For every Certificate of Survey be the quantity more or less five pounds of Tobacco.

For the Resurvey of 140 Acres or under made with Circumfirenter and chein and other necessary Instruments four hundred pounds of Tobacco.

For the Resurvey of any quantity of Land above 140 Acres double the fees above specified for survey in all respects.

To the Sheriff

	lb. Tob.
For serving any writt or warr ^t p head and bayle bond.	35
For tending upon a Prisoner p day if 24 hours in Custody	20
For Collecting the Publick duties Ten pounds of Tobacco p Cent.	10
For Serving an attachment or Execution	10
If the Execution be for above one hundred & under five hundred pounds of Tobacco.	50
If it exceed 500 ^l Tob.	100

If it exceed 1000 then for the first 1000, 100 and for every
p. 151 thous^d afterwards fifty and the same Fees for leavying any Attachment for any sum whatsoever Provided the same be condemned to the use of the party pl^{ts} or attaching the same or prorato for such pte thereof as shall be condemned, but if no part be condemned that shall be attached, then the said Sherriff shall have only Ten pounds of Tobacco for returning the writts as aforesaid.

For any Extraordinary warrant or Commission the Fees to be regulated by the Court Lib. L. L.
No. 1.
For impannelling a Jury. 120

To the Coroner.

For viewing the body or bodies of any person or persons murdered Slayn or otherwise dead by misadventure to be paid out of the Goods & Chattles of the party so dead, if any there be otherwise to be leavyed by the Commissioners of the County where such accident shall happen. 250

For arresting or summoning any Sherriff sued or prosecuted in any Court and for taking security of such Sherriff for his appearance 40^{lb Tob.}

For the Arresting Summoning or attaching any other person or persons wherein the Sherriff is Plaintiff such fees as are allowed to be taken by the Sherriff in such Cases and no more.

To the Cry^r of the Provinciaill Court

To swearing every Jury	144
For swearing every Witness 1 shilling or	12
For every Special Bayle ordered in Court	72
For every good behaviours ordered in Court	72 p. 152
For every clearing of a Prisoner by Proclamation	80

To the Cryer of the County Court.

For swearing every Jury	72
For swearing every Witness	6
For Speciall bayle Ordered in Court	36
For every good behaviour Ordered in Court	72
For Clearing every Prisoner by Ord ^r of Court & Proclam ⁿ	40

Provided always that in case any person shall refuse to pay the same so by this Act limitted & allowed it may or shall be lawfull for the Chancellor Secretary Judge for probate of Wills Surveyor Generall Sherriff Coroner and Cryers of the Courts to Recover the same by way of Execution against the Goods or body of the Person so refusing and no other Provided allways that no Officer or Officer in this Act perticularly mentioned and whose Fees are hereby settled and limitted shall by vertue thereof either leavy or cause to be leavy^d any Execution upon the body goods or Chattles of any person or persons whatsoever for any Fees in this Act limitted and contained without first delivering or causing to be delivered a true and just Account of the Fees to them due by this Act as aforesaid under the hand or hands of such Officer or Officers to the person or persons from whom such Fees demanded are p. 153

Lib. L. L. due as aforesaid, and in Case any of the Officer or Officers
 No. 1. as aforesaid shall in any wise Act or do contrary directly or
 indirectly to this Act, he or they so offending shall loose and
 forfeit to the party grieved treble damages sustained, and shall
 also forfeit the sum of six thousand pounds of Tobacco or
 forty pounds Sterl, the one moiety to Our Sovereign Lord and
 Lady the King and Queen their heirs and Successors for the
 Support of Governm^t the other Moiety to the party or partys
 that shall sue for the same, wherein no Essoyne Protection or
 wager of Law to be Allowed. Provided allways that if any
 Fees for any matter or thing hereafter to be done belonging
 to the Severall Officers aforesaid and by the Governor and
 Councill so allowed and adjudged & not in this Act mentioned
 and limitted and allowed and adjudg'd It shall be lawfull for
 such Officer or Officers to have such fee or fees as the said
 Governor and Councill for the time being shall adjudge and
 allow of and no more under the penalty aforesaid to be recov-
 ered as aforesaid, This Act to continue for three years or to
 the End of the next Generall Assembly w^{ch} shall first happen

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	have Assented
John LLewellin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

p. 154 An Act for limitting the County clerks fees wthin this Pro^{ce}

For the better settlem^t & limitation of the Clerks fees of the
 severall County's Courts wth in this Province for the future
 Be it Enacted by the King and Queens most Excell^t Majestys
 by & wth the advice and consent of this present Gen^l Assembly
 and the Authority of the same That from hence forth no
 Clerks in any County Courts within this Province, shall
 demand take Exact or receive of any suiter plantiff or defend-
 ant or any other suiter or Petitioner or oth^r person whatsoever
 any other fees or reward for Executing of his Office of Clerk
 as aforesaid then are hereby limitted directed and allowed
 (that is to say.

For every writt or Capias and returne	16
For every declaration if a folio	8
If half a folio	4
For a Copy of the same if delivered as before.	
For entring the defendants Appearance	6
For Entring an Imparliance continuance or reference	4
Fileing every Plea or demurrer if not a Speciall one,	4
If a folio or more prorato as before	

lb Tob.

For Copy if delivered prorato as before		Lib. L. L.
For Fileing any matter upon Record	4	No. 1.
If a whole side	8	
For a Subpena if but one name	10	
If two or three names	16	
For Rule to plead or go to Tryall	4	
For making the Issue if joyned	8	p. 155
For Copy if delivered	8	
For Entring Judgement	16	
For signing Judgement	12	
For Venire facias	12	
For Entring the Pañell being the due returne,	4	
For Fileing bill of Cost	8	
For a Copy if delivered	8	
For an Execution and returne	16	
For a Scire facias and returne	16	
For Speciall Bayle	6	
For a Writt of Enquiry of damages	44	
For Entring an Appeal	8	
For returning and certifying the Record p folio	8	
For Entring a Writt of Error Transmitted to the Pro- viciall Cou ^{tt}	8	
For every Oath	6	
For proving any deed or any other Writing	6	
For Entring the same upon Record p folio	8	
For Copy of the same	8	
For Recording the Mark of Cattle	4	

Provided allways that in case any person shall refuse to Pay the same so by this Act limitted and allowed It shall and may be lawfull for any County Clerk within this Province to recover the same by way of Execution against the Goods or body of the person so refusing and no other.

Provided also that no County Clerk whatsoever within this Province shall by vertue hereof either leavy or Cause to be leavyed any Execution upon the body Goods or Chattells of any person or persons whatsoever for any Fees in this Act limitted and conteined without first delivering or causing to be delivered a true and Just account of the Fees to them due by this Act as aforesaid under the hand or hands of such Clerk or Clerks to the Person or persons from whom such Fees demanded are due as aforesaid, And in case the said County Clerks or any of them shall Act or do contrary either directly or Indirectly to this Act, he or they shall loose and forfeit to the pty grieved treble his damages susteined, and shall also forfeit the sume of three thousand pounds of Tobacco or twenty pounds Sterl for every time he or they

Lib. L. L. shall do the contrary, the one Moiety to Our Sovereign Lord
 No. 1. and Lady the King and Queen their Heirs & Success^{rs} for the
 support of Government the other Moiety to the Party or
 Parties that shall inform or sue for the same, by Action of
 debt bill plaint or Information, wherein no Essoyn Protection
 or Wager of Law to be allowed Provided also that if any
 Fees accrew for Matter or thing hereafter to be done belong-
 ing to the said Office of Clerk in the County Courts as afore-
 said and which they are not bound to do Ex Officio, and by
 the Justices of the County Courts adjudged and allowed to be
 p. 157 done and not in this Act limitted mencōned and allowed them,
 It shall and may be lawfull for them the said Clerks to have
 and receive such Fees as the Justices shall allow and think fitt
 according to the Proporcōns aforesaid and no more under the
 penalty afores^d to be recovered as aforesaid, this Act to Con-
 tinue for three years or the end of the next Generall Assembly
 which shall first happen

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	} have Assented.
John Llewelin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for Amerciaments in the }
 Provinciall and County Courts. }

Whereas many suits are raised upon frivolous occations by
 Litigious persons, for prevention whereof for the future Be it
 Enacted by the King and Queens most Excellent Majesties
 by and with the advice and consent of this present Generall
 Assembly and the Authority of the same, That all Persons
 whatsoever that are cast in any Cause be they plantiff or
 defendāt, shall be Amerced besides the damages & Costs to
 the Recoverers fifty pounds of Tobacco in the Provinciall
 Court And in the County Courts thirty pounds of Tobacco for
 p. 158 the due collecting thereof. Be it Enacted by the Authority
 afores^d That the Clerk of the Provinciall Court and the severall
 County Courts keep an Exact Account of the Amerciam^{ts} and
 deliver or send the same to the Severall Sherriffs of the par-
 ticular Counties, who are hereby required to Collect the same
 with the Leavy and are Accordingly Impowered for default of
 payment to make distress and Commanded not to return any
 Arrears (Executors and Administrat^{rs} who cannot pay without
 orders alwayes Excepted) And be it further Enacted that the
 Clerk of the respective Courts give unto the Cheif Judge of
 every Court a List of the Amerciaments that Court imposed,

this Act to Continue for three years or to the End of the next Lib. L. L.
Generall Assembly. No. 1.

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	} have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for appointing Coroners
in each respective county.

Whereas there have many Inconveniencies happen'd in this Province for want of appointing Coron^{rs} in each County Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the Authority of the same That the Governor p. 159 for the time being, do constitute and Appoint such person or persons from time to time to be Coroners as he shall Judge most able and best qualified for that Office in each respective County in the Province. And be it further Enacted by the Authority aforesaid by and with the advice and consent aforesaid That the Governor give out Commissions to such persons to the intent and purposes as aforesaid, and that the same as near as may be may concurr with the Laws and Constitutions of England, And that an Oath be Administred to every such Coronor by appointment of the Governor at their entring into the said office according to the forme of the Oath of A Coronor in England.

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board	The House of Assembly
Signed p Ord ^r	} have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for the appointment
of certain Officers.

Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and Consent of this p^rsent Generall Assembly and the Authority of the same, That the Justices of the Peace in every County at the first County Court held after Michaelmas shall nominate and appoint some In- p. 160
habitant in every hundred or Precinct who shall Execute all Precepts and Warrants to him directed and shall in all things have the like power within the said hundred and precinct as any Constable hath or ought to have in a hundrd or precinct in England by the Law or Custome of England, and the said

- Lib. L. L. Constable shall take the Oath mencōned in an Act made in
 No. 1. the first year of their said Majest^{ys} Reign, Entituled an Act for
 abrogating of the Oaths of Supremacy & Allegiance and
 appointing other Oaths and also take the Oaths in manner
 and form following, you shall swear you will well and truly
 serve Our Sovereign Lord and Lady the King and Queen in
 the Office of a Constable, you shall see & Cause that their
 Majesties Peace be well and duly kept according to your
 Power, you shall arrest all such persons as in yo^r presence
 shall comitt or make any Ryote Affray or other breach of their
 Majesties Peace, you shall do your best Endeavour upon Com-
 plaint to you made to apprehend all Felons Barrettors Ryotters
 or persons riotously assembled And if any such Offendors
 shall make any resistance wth force, you shall Levy hue and
 Cry and pursue them untill they be taken, you shall do your
 best endeavour that hue and Cry be duly raised and pursued
 against Murtherers theivs and other Felons and fugitive
 Servants, And the Laws and Orders against Vagabonds and
 such other idle persons coming within your Limitts be duly
 putt in Execution at yo^r County Courts coming, you shall
 p. 161 present all Offences done against the Sev^l Acts made for the
 suppressing of Drunkeness and also true presentment make
 of all bloodsheads, Affrays, Out cries Rescues and oth^r Offences
 comitted against their Majesties Peace within your Limitts
 who shall well and truly Execute all Precepts and Warrants to
 you directed from the Justices of the Peace of this County or
 Higher Officers, And you shall well and truly according to
 your knowledge Power and ability do and Execute all things
 belonging to the Office of a Constable so long as you shall
 continue in this Office so help you God. And if the person
 so nominated and app^{td} shall refuse to serve in the said Office
 by himself or his Deputy or to take the Oath when tendred to
 him by the Justices of the Peace as afores^d shall forfeit the
 sum of five hundred pounds of Tobacco, one Moiety thereof
 to Our said Sovereign Lord and Lady the King and Queen
 their Heirs and Successors for and towards the support of this
 Government, and the other Moiety to the Church Wardens of
 the Parish in which he shall dwell or reside, to be recovered
 by bill plaint or Information wherein no Protection Essoyn or
 wager of Law shall be allowed or suffer two months Imprison-
 ment without baile or mainprize And be it further Enacted
 by the Authority aforesaid, by and with the advice and con-
 sent aforesaid That all persons whatsoever that shall hereafter
 be nominated and appointed to be Justices of the Peace,
 Sherriffs Coroners within this Province by his Excellency the
 p. 162 Cap^t Generall and cheif Governor for the time being that shall
 refuse to Execute the Office of Justice of Peace Sherriff or

Coron^r within this Province to take the Oaths or the Oath Lib. L. L.
No. 1. aforesaid mencōned in the said Act made in the first year of their said Majestys Reign or take the Oaths of Justices of the Peace Sherr. or Coronor shall forfeit to Our Sovereign Lord and Lady the King and Queen their Heirs and Successors the sum of one thousand pounds of Tobacco for the uses above-said the same to be recovered in such manner as the penaltyes and forfeitures aforesaid are directed and appointed or four months Imprisonment without Bayl or mainprize And be it further Enacted by the Authority aforesaid That whosoever shall be sumōned by Writt out of any Court of Justice of this Province to serve as a Juror in any Trayall in any Court within this Province & shall refuse to serve in any Case depending whether Crimin^l or Civill (not being by any other Office exempted) & thereto Lawfully required shall forfeit to Our Sovereign Lord and Lady King William and Queen Mary their Heirs and Successors for the uses abovesaid to be recovered in Mañer aforesaid, the sum of five hundred pounds of Tob. or two months Imprisonment without baile or mainprize And be it further Enacted by the Authority aforesaid, That whosoever being by writt summoned and thereby required to serve as a witness in this Province and shall re- p. 163 fuse to Testify uppon Oath in any case depending whether Criminal or Civill forfeite to Our Sovereign Lord and Lady the King and Queen their Heirs and Successors, the sum of Five hundred pounds of Tobacco for the uses aforesaid to be Recovered in manner aforesaid or suffer two months Imprisonm^{ts} without bayle or main prize Provided this clause shall not extend to the people Called Quakers Provided that this Act nor any thing therein contained shall not extend or be interpreted to extend to the prejudice of any the Lords of Mannors within this Province in their priviledge of appointing Constables within their respective mannors. Provided that if any person dissenting from the Church of England shall be hereafter chosen or otherwise appointed to bear the Office of High Constable or Petty Constable Church Wardens or overseer of the Poor or any other Parochiall or Ward Officer, and such person shall scruple to take upon him any of the said Offices in regard of the Oaths or any other matter or thing required by the Law to be taken or done in respect of such Office, every such Person shall and may Execute such Office and Imployment by his Sufficient deputy by him to be Provided that shall comply with the Laws on this behalf; Provided allwayes the said Deputy be allowed and approved by such person or persons in such manner as such Officer or Officers respectively should by Law have been allowed & approved.

Lib. L. L. No. 1. p. 164 Provided nevertheless that it shall be Lawfull for any Justice of the Peace or other Magistrate lawfully Authorized to Commit and Punish such person or persons as shall refuse to take the Oaths mentioned in the s^d Act of Parliament according to the Appointment thereof, the same Oaths being Tendred unto him or them in such manner as the said Act directs and appoints anything herein Contained to the Contrary thereof in any wise notwithstanding.

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk	Signed p Ord ^r
	Hen: Denton Clk.

An Act Imposing a penalty on all
such who shall dispose of Tobacco
seized and received by the Sherriffs and others.

p. 165 Whereas diverse great grievances have happened within this Province through the many Cheats and deceits that may have been used in disposing and altering the Marks and qualities of Tobacco after the s^d Tobacco have been seized and received by the Sherriff either for Fynes or Leavys or hath been paid away to merch^{ts} or others and by them marked and received, whereby the Publick hath been much abused and wronged and many Private persons have received great damages in their said Goods. Be it therefore Enacted by the King and Queens most Excell^t Majesty by and with the Advice of this Generall Assembly and the Authority of the same That what person soever shall dispose of any Tobacco or other goods seized on and received by the Sherriff for Fines or Leavys or other Publick Officers Fees or that shall alter or scratch out the Mark of any Tobacco so received or shall alter or change the quality of Tobacco so received or by any Merchant or others received either by uncasing or otherwise without any Lawfull Order or Warrant in writing under the hand of such Sherriff who received the same or of such Merch^t or other person who had received and Mark't the same, or for whose use the same was received and mark'd shall be lyable being convicted by Confession or Sufficient witness in some Court of this Province to restore four fold to the party grieved and stand in the Pillory two full hours during the Court time with his Offence fairly written in a peice of paper and placed upon the back Provided that no person shall be Impleaded or prosecuted upon this Act after three years from the time that the fact shall be committed.

June 4 th 1692	June the 2 ^d 1692	Lib. L. L. No. 1.
Assented to by the Councill Board	The house of Assembly	
Signed p Ord ^r	} have Assented	
John Llewellyn Clk.	Signed p Ord ^r	
	Hen: Denton Clk.	

An Act for stay of Executions
after Aprill Courts.

p. 166

Whereas many of the Inhabitants of this Province are and have been Exceedingly grieved and burthen'd by Executions laid upon them for Tobacco in the summer time when it is not possible for them to procure Tobacco for the payment and Satisfaction of their creditors by means wherof they are oftentimes kept in prison a long time and thereby disabled from making and tending their Cropps to the great prejudice if not ruine of many the Inhabitants of this Province, being thereby left destitute of any means to satisfy their Creditors, for prevention whereof, for the future Be it Enacted by the King and Queens most Excellent Majesty, by and with the Advice and consent of this present Generall Assembly and the Authority of the same, That after the Tenth day of Aprill in any year no Execution shall Issue out of any the Courts of this Province against the body or Goods of any person or persons inhabiting in this Province till the Tenth day of October next or till the Tenth day of October in any year during the Continuance of this Act for any debt or Debts or upon any Action Judgem^t or Judgements sued had or Recovered against any the Inhabitants off or within this Province betwixt the Tenth day of Aprill and the Tenth day of October in any year in the Provincially or any of the County Courts within this Province for any cause matter or thing whatsoever Provided such person or persons against whom any such Judgm^t is obtained, shall Imēdiatly after the obtaining such Judgement together with two other parties such as the Justices shall approve of come before one Justice or more of the Provincially Court or two Justices or more of the respective County Courts where such Judgement is obtained and confess Judgement to the Party that obtained the Judgement as is aforesaid for his debt and costs of suite adjudged with a Cessat Executio till the Tenth day of October then next following, and thereof procure Certificate under the hand of the same Justice or Justices before whom the said Judgement shall be confessed and that such Certificate shall be a sufficient supersedeas to the Sherriff to forbear serving Execution upon the body or goods of the person so obtaining such Certificate, And if the party be taken in Execution before such Certificate be pro-

p. 167

Lib. L. L. duced That then such Certificate being obtained afterwards as
 No. 1. aforesaid shall be a sufficient Supersedeas to the Sherriff for
 the release of such person from Imprisonment upon the
 Execution the Party paying or giving security to such Sherriff
 for his due fees for that Imprisonment. And that the Justice or
 Justices before whom such Judgement shall be confest as
 p. 168 aforesaid, shall returne the Judgement so confessed unto the
 Clerk of that respective Court where the first Judgement was
 obtained to be Entred upon Record for which Entry the Clerk
 shall receive as a fee five pounds of Tobacco and no more,
 any Law Custome or useage to the Contrary hereof notwith-
 standing.

June 4th 1692

Assented to by the Councill Board

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly

have Assented

Signed p Ord^r

Hen: Denton Clk.

An Act for the killing of Wolves.

Be it Enacted by the King and Queens most Excellent
 Majestys by and with the advice and consent of this present
 Generall Assembly and the Authority of the same That every
 person that shall bring the head of a Wolf to any of the
 Co^mmission^{rs} or Justices of the Peace in any County in this
 Province shall be allowed two hundred pounds of Tobacco
 from the County where the wolf shall be killed and that such
 Co^mmissioner or Justices of the Peace to whom the wolfs head
 shall be brought, shall cutt out or cause to be cutt out the
 Tongue or cutt or cause to be cutt off the Ears of the said
 Woolfs head to prevent the deceit of twice or oftner paying
 p. 169 for the same. And be it likewise Enacted by the Authority
 aforesaid, that it shall and may be lawfull to and for the
 severall Justices of the severall and respective Counties within
 this Province and they are hereby authorized Impowered and
 required yearly and every year during this at the time of their
 laying of their county Leavy to raise and Assess by an Equall
 Assessment upon the Taxables of the said Counties such sum
 or sums of Tobacco as to the Justices of the Severall respec-
 tive Counties shall seem meet and Convenient, and such sums
 of Tobacco raised as aforesaid shall lay out and dispose for the
 purchasing of Duffalls or Matchcoats and when the same is
 purchased shall deliver to such and so many persons residing
 convenient to the Indians as the Justices aforesaid shall think
 fitt, who shall render an Accompt to the said Justices at the
 next laying out of the Levy how such Matchcoats so delivered
 to him or them have been disposed and what part thereof

remains in his or their hands or possession And be it Enacted that such person or persons having such Match Coats deliverd as aforesaid bee and are hereby required to deliver to any Indian or Indians for every woolf or Wolfs head not having been paid for before one Matchcoate containing two yards of Duffalls and give a true accompt of the same at the next County Leavy as aforesaid to the Justices aforesaid and shall marke such Woolfs head as aforesaid to prevent deceit as aforesaid.

Lib. L. L.
No. 1.

p. 170

June 4 th	June the 2 ^d 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for the better Administratⁿ
of Justice in the County Courts of
this Province

For the better Administration of Justice and Regulation of the County Courts Be it Enacted by the King and Queens most Excellent Majesties by and with the Advice and Consent of this present Generall Assembly and the Authority of the same, That the Statutes books of England to these times named Keebles Collection of the Statutes and Dalton's Justice of the Peace be bought by the Justices of the Peace or Commission^{rs} of the severall County Courts at the charge of the respective Counties to be kept in their severall County Courts That the Justices and Officers of the said Courts and others may have recourse to the same as they shall have occasion, And th^t the Justices of the sd. Courts do purchase & procure the same by the first day of Aprill next Ensuing. And be it also Enacted by the Authority aforesaid, That the Commission^{rs} of each respective County Courts shall and may and he is hereby Impower'd from time to time and as often as to them shall seem convenient to make and ordain such necessary rules and orders for the well Governing and better Regulating the said County Courts and the officers to the same belonging and suiters to the same as to them in their discretion shall seem requisite and under such Fines as they shall think fitt (not exceeding one hundred pounds of Tobacco for any one offence) All which Fines to be Employed to the use of the poor of each respective County, which Rules and orders so by them to be made and ordained shall be fairly Transcribed by their sev^l County Clerks and at every the County Courts sett up at the Court house door that all per-

p. 171

Lib. L. L. sons may view and peruse the same and regulate themselves
No. 1. accordingly.

And be it Enacted by the Authority aforesaid, That where any Judgement is had in any County Court for any Matter or thing whatsoever, and after such Judgement is had and obtained, the party against whom the same is had, many times flies into another County out of the Jurisdiction of the said Court It shall and may be Lawfull for the Plaintiff to procure a Certificate from the said Justices of such parties flying and thereupon the Justices of the Provinciaall Court shall award Execution against the body or goods of the s^d party any Law Statute or useage to the contrary in any wise notwithstanding. And be it further Enacted by the Authority aforesaid, That any bills, bonds, or other Specialties Book debts or Accounts
p. 172 proved before two Justices of the Peace of any County or any one Justice of the Provinciaall Court and just Credit given to the same, and that the Ballance thereof is wholly due and unpaid and so certified under the hand of the said Justices shall be sufficient Evidence as well in the Provinciaall as County Courts wthin this Province any law Statute or useage to the contrary notwithstanding, this Act to endure for three years or to the end of the next Generall Assembly which shall first happen

Assented to by the Councill Board.

June the 2^d 1692

John Llewellyn Clk.

The house of Assembly
have Assented.

Signed p Ord^r

Hen: Denton Clk.

An Act limitting the Extent of
Attachments and providing what shall
be levyed on Attachments & Executions

For the setling the manner of Proceedings on Attachments limitting the Extent of them & providing what shall be levied on attachments and Executions Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the authority
p. 173 of the same, That from hence forth no attachment shall issue out of any Court of this Province before a writt or summons be first made out upon which Writt if the party defendant be an Inhabitant or Resident within this Province and the sherriff shall return non est inventus one other writt or sumons shall thereupon in manner aforesaid issue forth against the said Defendant, and if the Sheriff should on the second writt or summons returne a non est Inventus likewise an Attachment shall and may thereupon issue in manner and forme hereafter

sett down and be awarded. And in case any writt or summons shall issue forth of any of their Majesties Courts within this Province against any person or persons absent out of this Province in such case upon the return of a non est Inventus by the sherriff on such writt or summons and the party Plantiffe his leaving with the Attorney of such absent deffendant (if he hath left any Attor) a Copy of his Declaration or short note expressing the true cause of Action or if he hath left no Attorney, then the Plantiffe leaving a Copy of his said Declaration or short note expressing the true Cause of Action, at the house where the s^d defendant absent did last reside or dwell, and making such proof of his action as the said respective Courts shall think fitt, it shall and may be lawfull for the Justices of the said Courts to award an Attachment against the Goods and Chattells and Credits of the said absent defendant so as aforesaid prosecuting and not appearing to the said Action which are or shall be in the hands and possession of any person or persons whatsoever (yea even in the Plaintiffs own hands) for his the said defendants own use in this Province in which said Attachment there shall be a clause commanding the Sherriff of the said Respective Counties at the time of Executing the said Attachment to make known to each person and persons in whose hands or Possession the said Goods Chattles or Credits of the said Absent defendant shall be Attached, That they be and appear at the respective Courts at the day of the return of such Attachment to shew cause (if any they have) why the said Goods Chattles and Credits so as aforesaid in their hands attached should not be Condemned and Execution thereupon had and made as in other cases of Recoveries and Judgements given in Courts of Record, at which day of the return of the said Attachment if the said defendant shall not then appear nor the said Garnish in whose hands the aforesaid Goods Chattles and Credits of the defendant were attached (to shew cause to the contrary,) The said respective Courts shall & may condemne the said goods Chattles and Credits afores^d so aforesaid attached and award Execution thereof to be had and made either by Capias ad Satisfaciend sire facias or otherwise as on other Judgements he the said Plantiffe so prosecuting as aforesaid giving good and sufficient security before the Justices of each respective Court to and for the use of the said defendant so as aforesaid being not found within this Province or absent out of this Province as aforesaid to make restitution of the s^d Goods Chattles and Creditts so as aforesaid Condemned or the Value thereof if the defendant so as aforesaid prosecuted shall at any time within one year and a day to be accounted from the day of the said Attachment awarded come in, and either

Lib. L. L.
No. 1.

p. 174

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Lib. L. L. in person or by Attorney appear to the said Originall Action
 No. 1. against him and make it appear that the said Plantiffe hath
 been and is satisfied and paid the Debt or demand in the said
 Action or otherwise in Court discount or bar the said Plantiffe
 of the same or any part thereof; which said condemnation
 and Execution of the said goods Chattles or Creditts of the
 said defendant in the hands of the said Garnish or Garnishees
 as aforesaid had and made shall be sufficient and pleadable in
 Barr by the said Garnish or Garnishee in any Actⁿ to be
 brought against him or them by the said defend^t for the same
 Provided alwayes that no Sherriff shall levy by way of Execu-
 tion as aforesaid against any the said Garnish or Garnishees
 any more then the Plaintiffs debt and Costs nor against any
 Garnishee or Garnishees then what the said Plantiffes in the
 said Action shall make appear to the s^d respective Courts to
 be of the Goods Chattles and Creditts of the said Defendant
 in the hands of each respective Garnishe or Garnishees
 together with such Costs only as such Garnish shall put the
 Plaintiff to by denying himself to be Indebted to such Defend-
 ant and contesting the same Provided also that no Sherriff
 in any County within this Province shall by any attachment or
 p. 176 any other Execution had upon such Attachment or any other
 Execution whatsoever out of any Court of this Province, Levy
 Seize or take the Goods and chattles of any the Inhabitants
 within this Province so far as to deprive them of all Lively
 hood for the future but that Corne for necessary maintenance
 bedding gunn Ax potts and labourers necessary Tools with
 such like houshold Implyments and Am̄unition for subsist-
 ance shall be protected from all such Attachments and Execu-
 tions whatsoever. Provided also that such as shall be found
 by proof or other circumstances wilfully to absent themselvs
 into the woods or Else where from the Sherriffs sight whereby
 they cañot be found to be brought to Tryall, and such also as
 shall be absent by flight or prescription out of this Province to
 be averred upon Oath, shall have noe benefitt of any favour-
 able Interpretation of this Law And be it Enacted by the
 Authority afores^d that from hence forth any person or persons
 havg obtained any Judgement in any Court of this Province
 or which shall hereafter obtain any Judgement in this Prov-
 ince against any person or persons it shall and may be lawfull
 to and for the s^d Plant. in the said Judgement at his will and
 pleasure instead of any other Execution without those pre-
 vious requisitts as above in this Act prescribed and directed
 p. 177 to take out an Attachment against the Goods Chattles and
 Creditts of the said Defendant in the said Judgement in the
 said Plaintiffs own hands or in the hands of any other person
 or persons whatsoev^r which said Attachment shall likewise

have the clause aforesaid Commanding the Sherriff of the said County to whom it shall be directed at the time of Executing the said Attachment to make known to each person or persons in whose hands and Possessions the said Goods Chattles and Creditts of the said abs^t defendant shall be attached, That he be and appear at the Respective Courts at the Day of the return of such Attachm^{ts} to shew cause (if any they have) why the said Goods Chattles and Creditts so as aforesaid in their hands attached should not be Condemned and Execution thereof had and made as in other Cases of Recoveries and Judgements given in Courts of Record at which day of the Returne of the said Attachm^t if the said Defendant shall not then appear nor the said Garnishee in whose hands the said Goods and Chattles & Creditts of the said Defendant were attached to shew sufficient Cause to the Contrary. The said respective Court shall & may Condemne the said Goods Chattles and Creditts aforesaid, so as aforesaid attached and award Execution thereof to be had and made either by Capias ad Satisfaciend fieri facias or other wise as the Plaintiff might have had against the Defendant himself on the Judgement afores^d which said condemnation and Execution of such Goods Chattles and Creditts of the said Garnish or Garnishees as aforesaid had and made shall be sufficient and pleadable in Barr by the said Garnish or Garnishees in any Action brought against him or them by the said Defendant for the same

Lib. L. L.
No. 1.

p. 178

June 2^d 1692

Assented to by the Councill
Board

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly have
Assented

Signed p Ord^r

Hen: Denton Clk.

An Act concerning Indians.

To the end that no breach of Peace may happen betwixt the neighbouring Indians and the Inhabit^s of this Province Be it Enacted by the King and Queens most Excellent Majesty by and with the Advice and consent of this present Assembly and the Authority of the same That any one whosoever that shall take intice surprise Transport or cause to be Transported or sell and dispose of any friend Indian or Indians whatsoever, or endeavour or attempt so to do without Lycence from the Governor for the time being, and all Accessaries thereunto shall be fined & Imprisoned at the discretion of the Gov^r & Councill for the time being, how be it any one Informing, or causing such Offender or Offenders to be apprehended, shall have such satisfaction for his pains and diligence therein as the Governor and Councill shall think fitt.

p. 179

Lib. L. L. June 2^d 1692

No. 1.

Assented to by the Councill Board.

Signed p Ord^r

John LLewellin Clk.

June the 2^d 1692

The house of Assembly

} have Assented

Signed p Ord^r

Hen: Denton Clk.

An Act against Ingrosers and Regrators.

Forasmuch as hitherto no Law hath been made wthin this Province for restraining and prohibiting Ingrosing & Regrating the undue and too frequent practice whereof hath been and is still highly oppressive and injurious to the greater part of the Inhabitants of this Province who by means thereof deprived and wholly prevented from the benefit of laying out their Cropps of Tobacco or any part thereof with the Merchant adventurer their factors or others bringing all sorts of Goods Merchandizes and Servants for the purchase thereof whilst a Covetous and active sort of People but few in number of the Inhabitants of this Province do buy and purchase all or most part of the Goods Merchandizes and Servants yearly brought into this Province (without consignment) for the Purchase of Tobacco And all be it they have not Tobacco of their own, whereby to pay for the Goods Merchandizes and Servants so by them from time to time bought and purchased, Nevertheless such is the necessity of the Province that within a few days after such purchase they can regrade the said Goods Merchandizes and Servants and with small part of the Tobacco therewith purchased pay and Satisfy for all the said goods Merchandizes and Servants and be ready for another Market, thereby not only Enhancing the price of all Goods Merchandizes and Servants, but making severall returns in one Shipping Season and in the meantime the greater number of the Inhabitants of this Province are disabled & totally hindred from selling their cropps of Tobacco unless it be to and with the aforesaid hucksters or some or one of them at their own deer rates and prizes for the prevention therefore of so great a mischeif for the future Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and by the Authority of the same, That whatsoever person or persons that from and after the Publication hereof shall Engrose or gett into his her or their hands or possession by buying contracting or promise taking within this Province any Goods or Merchandize whatsoever, or Servants to the intent to sell the same again wthin the space of six months and the same or any part thereof shall within that time sell again

for ready Tobacco or for Tob^{co} to be paid the shipping happening at the time of such first Sale or for Tobacco to be shipt for payment or securing the Payment of any bill or bills of Exchange to be drawn for the payment of the said goods Merchandizes or Servants wth intent to Elude the benefitt of this Act or the same goods Merchandizes or Servants shall Transport out of this Province shall be accepted reputed and taken for an unlawfull Ingroser and Regrater and shall suffer the pains penalties and forfeitures hereafter Expressed any Law Statute useage or custome to the Contrary hereof in any wise notwithstanding. And be it Enacted by the Authority aforesaid, That if any person or persons from and after the Publication hereof offend in any of the things before recited and being thereof duly Convicted by the Confessⁿ or the Oaths of two witnesses before the Justices of the Provinciaall Court or the Justices of the County Courts for the time being, where the Offences were committed, shall for his or their first Offence have or suffer Imprisonment by the space of 2 months without baile or maine prize, and shall also loose and forfeit the Value of the Goods and Merchandizes or Servants so by him or them bought or had, and if any person or persons lawfully Convicted or attainted as aforesaid of or for the second offence and be thereof lawfully convicted or attainted as aforesaid, That then every person or persons so offending shall have and Suffer for his or their second offence Imprisonment by the space of one half year without baile or mainprize and shall loose the double value of all the Goods and Merchandizes or Servants so by him or them bought or had as aforesaid And be it further Enacted by the Authority aforesaid, That if any person or persons being lawfully twice convicted or attainted as aforesaid of or for the said Offence and shall again offend the third time and be thereof lawfully convicted or attainted as aforesaid, That then Every person for the third Offence shall be sett on the Pillory in the Citty Town or in the full county where he shall then Inhabite and dwell and loose and forfeite all the Goods and Chattles that he or they have to their own use, and also be committed to prison, there to remain during the Terme of one whole year, The one Moiety of all which forfeitures, to be to Our Sovereign Lord and Lady the King & Queen for the Support of the Government of this Province and the other Moiety thereof to the Informer or him or them that shall sue for the same, by bill Action of debt plaint or Information in any Court of Record within this Province, wherein no Essoyne Protection or wager of Law shall be allowed. Provided that this Act nor any thing therein contained shall not debarr or be construed to debar or hinder any person or persons whatsoever within this Province by or out

Lib L. L.
No. 1.

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Lib. L. L. of any Goods or Merchandizes by him or them so bought or
No. 1. purchased as aforesaid, to Satisfy and pay to any workman or
Servant the hire or wages of him or them due for any work
or Service whatsoever

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for the appointing Court days
in each respective County's within this
Province.

To the intent Court days may be Ascertained and that the
Comissioners within their respective Counties may know Justly
when to attend Be it Enacted by the King and Queens most
Excellent Majesties by and with the Advice and Consent of
this present Generall Assembly and by the Authority of the
same, That for the future S^t Maries Baltimore and Dorchester
County Courts shall be held the first Tuesday in September
p. 184 November January March June for the Orphans, and the first
Tuesday in Augst for Anne Arundell, Charles, Sommersett
and Cecill Counties, The second Tuesday in September, No-
vember, January, March, June for Orphans, and the second
Tuesday in August for Calvert and Talbott Counties, the third
Tuesday in September, November, January, March, June for
the Orphans and the third Tuesday in Augst for Kent County,
the fourth Tuesday in September November, January, March,
June, for the Orphans and the fourth Tuesday in August
And be it further Enacted by the Authority aforesaid, That
every Commission^r that shall not appear and attend at such
place appointed for the Court to be held in his respective
County att the time Li^mitted and appointed by this Law shall
be fined two hundred pounds of Tobacco for and towards the
Pillory Stocks and whipping post for the Execution of Justice
or to be disposed of as the Court then sitting shall think fitt,
unless such Commission^r or Comission^{rs} make lawfull Excuse
to be allowed of by the Court And forasmuch as it happens
many times in the Winter Season Especially that but two or
three of the Commissioners do meet and attend upon the days
sett and appointed as aforesaid, whereby all Process made
returnable to that court do fall and abate and the severall
p. 185 Plaintiffs are forct to sue out new writts to the great damage
and delay of suitors, Be it therefore Enacted by the Authority
aforesaid That any two or three of the Commissioners whereof
one to be of the quorum meeting as aforesaid be hereby fully

authorized and Impowered to adjourn the court to some short time after as to them shall seem meet and that no suit for want of a full court fall or abate, but the same shall be continued untill the next Court to be held according to such adjournment as aforesaid, And that if the first day appoint^d by this Act for the holding of the severall and respective Courts be not time enough to do the business in that Court depend^g, Then the Justices of such Court are hereby Impowered to adjourn from day to day untill such time as the business returnable or Tryable in that Court shall be finished And Whereas there have some scruples arisen by the Co^mmiss^{rs} of the respective County Courts whether they shall or may do any other business in every June Court in every respective year then what was concerning Orphans the True intent and meaning of this Act is, that the Co^mmiss^{rs} of every respective County Court may and ought to do hear Judge and determine any business depending in the said Court at the same June Court between any persons whatsoever, as well as relating to any Orphans business.

June 2 ^d 1692.	June the 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for Keeping a Register of
Births marriages and burials in each
respective County.

p. 186

Be it Enacted by the King & Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the Authority of the same, that the names Sirnames and places of abode of all manner of persons within this Province Except Negroes Indians and Mollato's that are not born of white women that shall from and after the Publication of this Act be born married or buried within this Province together with the respective dates of the day month and Year of Our Lord of their said birth Marriage or burials shall be Exhibited to the Clerk of each respective County Court by the father of any such Child as shall be born the person Married or the next of kin Executors Administrators, Master Mistress to him or them that shall be buried as aforesaid within two Months after such birth Marriages or buriall aforesaid under the penalty one one thousand pounds of Tobacco, the one half to the Clerk of every respective County, the other half to the poor of the said County wherein such default shall happen as aforesaid. And be it further

Lib. L. L. Enacted by and with the advice and consent aforesaid, that
 No. 1. every Clerk of each respective County within this Province
 p. 187 shall at his own proper cost and charges within one Month
 after the Publication hereof, provide a good and durable book
 wherein he shall Register in a fair Liegable hand the names
 Surnames and places of abode, together with the respective
 dates of the day month and year of Our Lord of the birth
 marriage or burials soe Exhibited as aforesaid, for which he
 shall have as his fee the sum of five pounds of Tobacco to be
 leavyed by way of Execution on the goods and chattles of the
 person so requiring the Registring the same as aforesaid or
 that shall neglect or refuse to pay the same. And if any
 Clerk of any County Court within this Province shall neglect
 or refuse to Provide one dureable Book as aforesaid and
 therein to Register the names Surnames and places of abode
 of such person as shall be born Married or buried within their
 respective Countyes so Exhibited as aforesaid shall forfeit and
 pay for every Offence the sum of one thousand pounds of
 Tobacco, the one half to their Majesties for support of Gov-
 ernment, the other half to the Informer to be recovered in any
 Court of Record within this Province by bill plaint or Inform-
 ation wherin no Essoyn Protection or Wager of Law to be
 allowed And be it further Enacted by the Authority aforesaid
 that the Commissioners of each respective County at their
 Severall County Courts shall make Speciall Search and
 Enquiry into the premisses, that the respective Clerks do their
 p. 188 duty as aforesaid Provided that this Act nor any thing
 therein contained shall any way countenance the discontinu-
 ance of any legall Register of births marriages or burials
 hitherto kept in any County within this Province, but the same
 shall be fairly and Methodically transcribed by each respective
 County Court Clerk into the said book or Register to be pro-
 vided as afores^d and written in the begining of the said Book.

June 2^d 1692

Assented to by the Councill Board.

Signed p Ord^r

John Llewelin Clk.

June the 2^d 1692

The house of Assembly
 have Assented

Signed p Ord^r

Hen: Denton Clk.

An Act for preventing vexatious & unecessary suits at Law.

Whereas divers and Sundry persons within this Province
 contracting debts by Accounts wth Merchants and others for
 which they stand and remain only debtor upon their said
 Books of Accounts the w^{ch} thô they be honestly and well dis-
 posed to pay the same upon demand first had and required of

the said debtors by the Creditors or other persons lawfully authorized to receive the same, without which it is impossible for the said Debtors to know where or to whom to pay the said debt yet severall of the said Creditors through a Vexatious and avaritious humour do dayly commence their suits at Law against such their debtors without any demand of such their debts of their said Debtors whereby the said Debt is much encreased and the said debtor thereby greatly burthen'd and Impoverished by means of such their vexatious and unjust suits in Law Be it therefore Enacted by the King and Queens most Excellent Majesty by and with the Advice and Consent of this Generall Assembly and the Authority of the same that from and after the Publication of the Act, no Person whatsoever his Executo^{rs} or Administrator living or Trading into this Province shall for any debt due or owing to him by Account upon book or otherwise and for which the Debtor hath not past his hand and Seal to such his Creditor shall sue or Implead at Law such debtor for any such debt Contracted as aforesaid and not under hand and Seale of such Debtor aforesaid unless he shall first demand and require the same of the said Debtor in the county where he shall inhabite if at his habitation and if not then by leaving a note under the hand of such Creditor or those he shall impower to receive the same, what time and to whom the same shall be paid and if there upon the same be not accordingly paid, Then it shall and may be Lawfull for the said Creditor to sue and Implead such his Debtor for the said debt and recover against him all such Costs and damages as upon legall Tryall in any Court of this Province shall be adjudged against him, and in Case any person shall sue or implead any such his Debtor as aforesaid contrary to this Act, he shall loose all his Costs of such Suite and be lyable to satisfy such his debtor all such damages as shall accrew unto the said Debtor by such his vexatious & unjust suit at Law. Provided allways that this Act nor any thing herein conteyned shall be construed & extend to the benefit of any person Debtor as aforesaid either runaway out of this Province or wilfully absconding himself within the same from his said Creditor, but that he may be proceeded against as before this Law made anything in this Act to the contrary notwithstanding.

Lib. L. L.
No. 1.

p. 189

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June 2^d 1692

Assented to by the
Councill Board

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly
have Assented

Signed p Ord^r

Hen: Denton Clk.

Lib. L. L.
No. 1.
p. 191

An Act for Encouragement of Tillage
and raising Provisions for advancement of
Trade within this Province.

Be it Enacted by the King and Queens most Excellent Majesties by and with the advice and consent of this present Generall Assembly and the Authority of the same, that from and after the end of this present Sessions of Assembly Indian Corn, Wheat, Oats, Barley, Rye, Peas, Porke, Beef, Bacon be deemed reputed Accepted and taken for Lawfull and Currant payment and payment of money Tobacco Debt or Debts whatsoever from or to any person or persons whatsoever Debtor or Creditor Inhabiting or Trad^g into this Province the Publick Leavies and bills of Exchange only Excepted at such Rates & Prizes and in such manner as hereafter in this present Act is mencōned & conteyned shall be rated as hereafter (that is to say)

	s.	d.	lb Tob
Indian Corne shell'd in money sterl p bushell	1	6	or 18
Wheat p bushell at	4	0	or 48
Oats p bushell at	2	0	or 24
Barly p bushell at	2	6	or 30
Peas p bushell at	3	0	or 36
Pork p ^{lb} at	0	2	or 2
Beef p pound at	0	1½	or 1½
Bacon p ^{lb} at	0	4	or 4

p. 192 All which grain or grains Pork beef & bacon aforesaid to be clean sound sweet and Merchantable and for the better carriage and Transportation of Pork and beef which upon that account may be otherwise subject to some greater inconveniency then other the commodities aforesaid Bee it Enacted that Porke and Beef shall be paid & received in good and sufficient Cask and Barrells containing thirty Gallons nerest of which thirty two pounds for the tare And be it further Enacted by the Authority aforesaid that it shall and may be lawfull to and for all manner of persons whatsoever Inhabitants or Traders into this Province to buy Export or carry away any quantitys or quanty of Corn Porke, beef or bacon as aforesaid into any Dominion or Country out of this Province without any maner of restraint, Prohibition or any other Imposition other then is already by the Laws of this Province imposed and allowed of any Law useage or ordin^{ce} to the contrary in any wise notwithstanding Provided and be it Enacted by the Authority aforesaid that this Act nor any thing therein contained shall not be construed deemed or taken to have any retrospect looking back or relation to any Tobacco or Money debtor debts made

p. 193 or contracted before the End of this present Sessions of Assembly any thing in this Act to the Contrary notwithstanding

ing. Provided and be it Enacted by the Authority aforesaid that if any debt or debts shall or may be payable or due from or to any person or persons debtor or Creditor living or Trading into this Province, under thirty three shillings and four pence or four hundred pounds of Tobacco, That then and in such case it shall be tendred and paid in any one perticular comodity or kind of Corn or provision that is made Currant and rated as aforesaid, and not in diverse the said perticular kind or Comodity to be at Ellection of the payor or debtor this Act to Endure for three years or to the End of the next Generall Assembly which shall first happen

Lib. L. L.
No. 1.

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Counc ^{ll} Board	The house of Assembly
Signed p Order	have Assented
John Llewelin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for Recording the
Journall of the house of Assembly

Whereas it is thought fitt and good for the befitt and Enlightning of future Assemblys that a Record be kept of all proceedings that shall pass in the Lower house of Assembly in this Province Be it therefore Enacted by the King and Queens most Excellent Majesty by and with the advice and consent of this present Generall Assembly and the Authority of the same that the Clerk of the Assembly for the time being Transcribe the said Journall within two months after the dissolution or Prorogation of the said Assembly and deliver the same into the Secretarys Office upon the penalty of five hundred pounds of Tobacco to Our Sovereign Lord and Lady the King & Queen for the Support of this Government and the loss of his Salary for his Service in the Assembly the said fine & forfeiture to be leavyed upon the said Clerk by the appointing of the Gov^r of this Province for the time being upon Certificate from the Secretary of this Province for the time being that the s^d Journall as afores^d is not by the Clerk of the Assembly delivered into the Secretary's Office afores^d And it is hereby furth^r Enacted by the Authority aforesaid that the Secretary of this Province for the time being shall be Enjoyn'd to Examine the Sec^ys Office touch^g the purports of this Act, and make Certificate to the Gov^r for the time being th^t thereby the fine & forfeiture afores^d may the more duly be paid

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Counc ^{ll} Board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewelin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

Lib. L. L.
No. 1.
p. 195

An Act for encouragement of such
persons as will undertake to build Water-
Mills.

Dayly Experience shewing that the Want of Water mills is the true cause that husbandry in tilling the Ground & for sowing of wheat and Barly is but coldly prosecuted though the advantage thereby in raising the stock of neat Cattle be great and forasmuch as for the most part the places fitt for setting up of Water mills are already in the hands of Persons under age or unable to be at the charge of building a water mill, or else such as are wilfully obstinate in forbidding and hindring such psons as would purchase the said places fitt for building water mills and set them up to the Encrease of our Trade and Navigation much to the Publick damage of the Province. Bee it Enacted by the King and Queens most excell^t Majesty by and with the Advice and Consent of this p^rsent Generall Assembly and by the Authority of the same, That if any person or persons from and after the tenth day of June next Ensuing, shall desire to sett up a water mill upon any land next adjoyning to any run of water within this Province, not being the proper Possession or free hold of such person or persons nor leased to them) to the intent thereon to sett a water mill they shall purchase a Writt out of their Maj^{ty} Court
p. 196 of Chancery directed to the Sherriff of the County where such Land lyeth requiring him by the Oaths of Twelve men of his County to enquire what damage it would be to their Majesties or others to have a Mill set up in such place as aforesaid, the form of which writt followeth Viz. William and Mary by the Grace of God of England Scotld France and Ireland King and Queen defenders of the Faith &c. To the Sherriff of A. B County Greeting Wee Command you that by the Oath of Twelve honest & lawfull men of the County by whom the truth of the Matter may be better known diligently to enquire if it be to the damage of us or others, if we grant to N: N: of N. County twenty Acres of Land lying at N: in the County aforesaid Viz. Tenn Acres on one side of such run and Ten Acres on the other side of such runn of Water togeth^r with the liberty to take sell Cutt 'down and carry away either by Land or Water, any wood or Timber fitt for building a Mill other then Timber fit to splitt into Clap board upon any the Lands next adjoyning to the said twenty Acres of Land lying on each side of the run of Water at N: N: aforesaid in the County aforesaid, And if it be to the damage or prejudice of us or others then to what damage and what prejudice of us and to what damage and prejudice of others and of whom
p. 197 and in what manner and how and of who or of whom

the aforesaid Twenty Acres of Land are holden and by what Service and in what manner and how and what value they are by the year according to the true value thereof now before any further Improvement made of the said twenty Acres of Land and who are the present Possessors of the said twenty Acres of Land, and who and how many are the means between us and the present Possessors of the said twenty Acres of Land, and what Lands and Tenements remain to the present Possessors over the said twenty Acres And if the Land remaining to the present Possessors over the said Twenty Acres will Suffice to uphold their Mannor (viz. the sixth part of their Mannor allotted by the Condition of Plantations for the Demesne as before the Alienation for building a Mill, And that the said Possessors in Assize Juries and Recognicōn may be put as before Alienacōn so as the County by the Alienation aforesaid in default of the present Possessors more then was wont be not charged and grieved And the Inquisition thereupon openly and distinctly made to us in Our Chancery under the Seale and the Seals of th^m by whom it was made without delay send &c^a upon return of which writt in case the person or persons whereby the said Inquest shall be found to be the true owners and Possessors of the said Land fitt to build a Mill upon, shall refuse to build a Mill thereon and give Security to their said Majesties by bond of fifty thousand pounds of Tobacco with Condition to build a Mill thereon within one year from that day to be Computed and reckned, and the same building to Prosecute and finish within two years after the said begining or laying the foundation as aforesaid for the Publick good of the Province. It shall and may be lawfull for their said Majesties their heirs or Successors or for their Cheif Govern^r here for the time being from time to time to grant any such twenty Acres of Land fitt to build a Water mill upon as aforesaid, Together with free Egress and Regress to the said Water mill either by Land through any Mans Land next adjoyning or else by water together with liberty to fell any Tymber for building the said Water Mill other then board Timber fitt to Splitt or cleave into Clapboards for any time or Terme not Exceeding Eighty years then next to come under the Yearly rent of the Land then by the Oaths of twelve men, by vertue of the writt aforesaid returned to be paid to the owner of the said Land so found and returned as aforesaid, which said Grant from their said Majesties their heirs and Successors or from the cheif Governor here as aforesaid shall be good & availeable in Law to the Grantee as aforesaid for any terme of years not Exceeding Eighty years as aforesaid against all persons whatsoever any Law Custome or useage heretofore had made or used within this Province

Lib. L. L.
No. 1.

p. 198

Lib. L. L. to the Contrary notwithstanding. Provided allwaies that
 No. 1. before any person or persons whatsoever shall have such
 p. 199 grant to build a Water mill as aforesaid, they shall Enter into
 a Bond to their said Majesties with two Sufficient Sureties in
 the sum of fifty thousand pounds of Tobacco with condition to
 begin to build the said Water mill within one year then next
 to come and the same building to prosecute and finish within
 two years after such begining And for the great Advantage
 that is already found to the Province in Generall by the Mills
 already built, some of which do stand upon Lands whereof
 the Title is doubtfull for want of due form of the Conveyances
 or the last Wills and Testaments, by which the Lands have
 been Conveyed or devised to the builders of such Mills. Be
 it therefore Enacted by the Authority aforesaid, That all and
 every such pson and Persons as aforesaid, who have built
 Mills shall or may have such Writt or Writts as aforesaid to
 enquire of the true yearly value of the s^d Land where such
 Mill doth stand, and of Ten Acres of Land on each side of the
 said run as aforesaid. And upon return of such Writt as
 aforesaid shall have a grant from their s^d Maj^{ts} Cheif Govern^r
 here as aforesaid for any Terme not Exceeding Eighty years,
 and under the yearly rent returned as aforesaid to be paid to
 the Right owner of the said Land as aforesaid any Law useage
 or Custome to the Contrary hereof notwithstanding.

June the 2 ^d 1692	June the 2 ^d 1692
Assented to by the Counc ^l Board.	} The house of Assembly
Signed p Ord ^r	} have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

p. 200

An Act of naturalization of John
 Ouldson and Mathias Vanderheyden

Be it Enacted by the King and Queens most Excellent
 Majesties by and with the Advice & consent of this present
 Generall Assembly, That John Ouldson of Kent County within
 this Province of Maryld and Mathias Vanderheyden of Cecill
 County within the said Province and either of them shall from
 henceforth be adjudged reputed and taken as naturall born
 people of this said Province and that they and either of them
 from hence forth be Enabled and adjudged to all Intents and
 purposes to demand Challenge ask have and Enjoy any Lands
 Tenem^{ts} Rents Hereditaments, to the which they might in any
 waies be Entituled as if they were free and Naturall born
 people and Subjects, And also that they and either of them
 from hence forth may and shall be Enabled to prosecute main-
 tain & avow & justify & def^d all & all mañer of Actions, Suits,

Pleas, Complaints & other demands whatsoever as liberally, frankly, freely, fully, Lawfully and securely as if they & either of them had been naturall free born people or Subjects any Law usage or custome to the contrary notwithstanding

Lib. L. L.
No. 1.

June 2 ^d 92	June the 2 ^d 1692
Assented to by the Counc ^l Board	The house of Assembly
Signed p Ord ^r	have assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen. Denton Clk.

An Act for Securing Creditors.

p. 201

Whereas there are Prisons in every County now built and forasmuch as they were intended for the safe keeping of Prisoners that Creditors might be secured to have their debts paid after Judgement and Execution Served and that Criminals might be brought to condigne Punishment Be it Enacted by the King and Queens most Excel^t Majesties by and with the Advice and Consent of this p^rsent Generall Assembly and the Authority of the same, That every Sherriff within this Province That shall have any Prisoner committed to his Charge in any Criminall case whatsoever shall safe keep the said Prisoner untill they be delivered by due course of Law, and if any Sherriff shall suffer any such Prisoners to Escape Voluntarily or negligently shall forfeit twenty thousand pounds of Tobacco the one half thereof to their Majesties for the support of Government, the other half to be Employed in the Strengthening the Prison of the County and maintenance of poor prisoners Be it further Enacted by the Authority aforesaid that when any person or persons are taken by the severall and respective Sherriffs of the Sev^rall and respective Counties in Execution for debt or upon other mean process the s^d Sev^rall & respective Sherriffs shall safely keep & restrain the s^d Prisoners by such means & in such Man^r as Prisoners in England by the Law of England are and may be restrained and if any Sherriff shall Voluntarily or negligently suffer any such Prisoner to Escape such Sherriff shall pay the debt or damages to the Person who obtained Judgement and sued out Execution or other mean Process against the said Prisoner And if any person Imprison'd for felony or other Crime deserving death shall attempt or Endeavour to break Prison shall Imediatly thereupon be secured by the Sherriff or Goaler in Irons and any Person so Imprisoned for felony or other Crime deserving Death as aforesaid that shall break Prison shall be Punished with Death.

p. 202

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

Lib. L. L.
No 1.An Act for the Constables taking a List
of Taxables.

Whereas through the Idleness and carelessness of some constables in this Province many false Lists of the Taxable Persons in this Province are returned and for that Severall Constables in this Province do commonly proceed to take the severall Lists of Taxables upon hearsay without going to the
p. 203 several and respective houses in their hundred to enquire of the Mast^{rs} of the respective families the number of Taxables in every family, By which neglect the Inhabitants of this Province are often times very much abused and wronged, Be it therefore Enacted by the King and Queens most Excellent Majesties, by and with the advice and consent of this present Generall Assembly and by the Authority of the same That from and after the Publication hereof every Constable within this Province shall between the twentieth day of June and the last day of July repaire in person to every respective house or habitation within this hundred, and there enquire of the Master Mistresses Dames or other cheif person in the family, what number of Taxable persons they and every of them have wthin their respective families, And after Enquiry made a true and fair list shall return of all and every Taxable person within his hundred as aforesaid under his hand unto the Sherrieff of the County, and another fair list thereof und^r his hand, such Constable shall present at the next County Court there to be set up, and if in case any Master Mistress dame or other Cheif person of a Family shall refuse or deny to give an Accompt of the Taxable persons of their familys or upon their Accompt shall conceal any Taxable person or persons in his or their
p. 204 family shall for every such Offence not given a true Acco^t of them to the Constables when required, And every person Taxable so by him concealed forfeit & pay one thousand pounds of Tobacco for such Person or persons so by him or them concealed, And every Constable neglecting his Office herein shall forfeit & pay the sum of five hundred pounds of Tobacco for every offence, such forfeitures and fines to be levied by the Justices of the respective County Courts for the use of the Poor of the Parish wherein such Constables and Inhabitants do dwell and reside and by them to be disposed of for the use aforesaid as the said Justices shall think fitt And to the end that no person for the future may be Ignorant what Persons are Taxables and what not Be it Enacted by and with the Advice and Consent aforesaid and the Authority of the same, That all Male Children born within this Province and Resident in it shall be taken and Accompted Taxables at the Age of sixteen years and upwards, and all male Children Ser-

vants Imported into this Province at the age of sixteen years and upwards and shall be accompted Taxables, And all Slaves whatsoever, whether Male or Female Imported or born in this Province at or above the Age of sixteen years shall be accompted Taxables and so Rated, And that all freemen within this Province (Except Clergymen and such poor and Impotent persons that receive Alms from the County) shall be Taxables above the Age of sixteen years.

Lib. L. L.
No. 1.
p. 205

June 2^d 1692

Signed p Ord^r

John Llewellyn Clk

June the 2^d 1692

The house of Assembly have
Assented

Signed p Ord^r

Hen: Denton Clk.

An Act against the Importation of
Convicted Felons into this Province.

Forasmuch as severall Masters of ships Merchants Sailers and others having used to Import into this Province severall notorious Felons and Malefactors which in severall of their Majesties Courts have been convicted of Crimes and felony as aforesaid and afterwards procured by Masters of Ships Merch^{ts} Saylors and others out of the common Goales to Import into this Province and here to sell and dispose of such Felons and Malefactors as Servants to the Great prejudice and grievance of the Good people of this Province, for prevention whereof for the future Be it Enacted by the King and Queens most Excellent Majesties by and with the Advice & consent of this Generall Assembly and the Authority of the same That from and after Publication hereof at every office and place where ships and Vessells shall be appointed to be Entred and cleared, The Clerk of such Office or person appointed for the clearing and Entry of ships and Vessells shall administer an Oath to every Master of a ship when he comes to Enter, That he shall declare whether any Servants on board his ship be Fellons Convicts as afores^d And if it shall appear by his Oath that they are such then the said Officer shall take good Security of the said Master not to sell nor suffer the same to be sold given or otherwise disposed of in this Province But shall Transport them and every of them out of this Province before he or his said Ship depart out this Province or in his own Ship when the same departs this Province And it is further Enacted by and with the Advice and consent afores^d That no Master of a Ship, Merchant Sayler or any other person whatsoever shall p^rsume to Import into this Province any such convicted Fellons or Malefactors whatsoever to sell pay give or in any other

p. 206

Lib. L. L. manner to dispose of either to their own Plantation (if any
 No. 1. they have) or unto any Inhabitant of this Province whatsoever
 And be it further Enacted by the Authority aforesaid, That if
 any Master of a Ship, Merchant Saylor or other person what-
 soever from and after the Publication of this Act shall Import
 p. 207 and bring into this Province such convicted Fellons or Male-
 factors and shall give sell pay or any otherwise dispose of unto
 any Inhabitant of this Province shall forfeit and pay for every
 such convicted Felon or Malefactors so Imported, sold, given,
 paid or any other waies disposed of unto any Inhabitant of
 this Province, the sum of Two thousand pounds of Tobacco
 The one half to their Majesties for the Support of Govern-
 ment, The other half to the Informer or him or them that shall
 sue for the same, To be recovered by bill plaint or Informa-
 tion in any Court of Record within this Province wherein no
 Essoine protection or wager of Law to be Allow^d

June 2^d 1692
 Signed p Ord^r
 John Llewellyn Clk.

June the 2^d 1692
 The house of Assembly have
 Assented. Signed p Ord^r
 Hen: Denton Clk.

An Act against Excessive usury.

Be it Enacted by the King and Queens most Excell^t Majesty
 by and with the advice and consent of this present Generall
 Assembly and the Authority of the same, That no person or
 persons whatsoever within this Province whether Inhabitant
 or Forreigner upon any contract shall from & after the end of
 this present Sessions of Assembly take directly or in directly
 for loan of any Moneys, Wares, Merchandizes or any other
 Commodities whatsoever to be paid in Moneys above the
 p. 208 value of six pounds for the forbearance of one hundred pounds
 for one year, and so after that rate for a greater or lesser sum
 or for a larger or shorter time, nor shall any person or persons
 whatsoever wthin this Province as aforesaid from and after the
 time aforesaid, take directly or indirectly for loan of any To-
 bacco wares Merchandizes or other Comodities for one year
 of to be paid in Tobacco or other Comodities of this Province
 above the Value of Eight pounds of Tobacco for the forbear-
 ance of one hundred pounds of Tobacco, and after that rate
 for a greater or lesser sum or for a longer or shorter time and
 that all bonds contracts and Assureances whatsoever made
 after the time aforesaid for payment of any Principall money
 or Tobacco Goods or Comodities aforesaid to be lent or
 covenanted to be performed upon or for any usury whereupon
 or whereby there shall be reserved or taken above the Rates
 of six pounds in the hundred for money as aforesaid and

above Eight pounds in the hundred for Tobacco or other goods or Commodities as aforesaid shall be utterly void. And that all and every person and persons whatsoever which after the time aforesaid shall upon any contract to be made take accept and receive by waies or meanes of any Corrupt bargain, Loan Exchange Chevissance Shift or Interest of any wares Merchandizes or other thing or things whatsoever or by any deceitfull conveyance for the forbearance or giving day of payment for one whole year of and for their money Tobacco goods or Commodities afores^d above the sum of money or Quantity of Tobacco aforesaid for the forbearance aforesaid, shall forfeit & loose for every such offence the Treble Value of the Money Tobacco goods wares Merchandizes and other things sold lent bargained sold Exchanged and shifted as aforesaid, The one half of the said Fine and forfeiture to Our Sovereign Lord and Lady the King and Queen their Heirs and Successors for the support of this Gov^rment the other half to him or them that shall sue for the same to be recovered in any Court of Record of this Province by action of debt bill plaint or Information, wherein no Essoyne Protection or wager of Law to be allowed. Lib. L. L.
No. 1.

June 2^d 1692 June the 2^d 1692
Assented to by the Counc^l Board The house of Assembly have
John Llewellyn Clk. Assented. Signed p Ord^r
Hen: Denton Clk.

An Act directing the manner of Ellect^s
and summoning Delegates and Representatives
to serve in succeeding Assemblys

Forasmuch as the cheifest and only Foundation and support of any Kingdome State or Common Weale is the Providing Enacting and Establishing good and wholesome Laws for the well ruling and Government thereof and also upon any necessary or imergent occasions to raise and leavy mony for the defraying the charges of the said Government and defence thereof neither of which according to the constitutions of this Province can be made ordeined Establish^t or raised, but by and with the consent of the Freemen of this Province by their severall Delagates and Representatives by them freely nominated chosen and Elected to Serve for their Severall Cittys and Countys in a Generall Assembly, and forasmuch as the Safest and best rule for this Province to follow in Electing such Delagates and Representatives is the Precedents of the proceedings in Parliament in Engld as near as the constitution of this Province will pmitt, The Governor Councill and Delagates of this present Gen^l Assembly, do humbly pray that it p. 210

Lib. L. L. may be Enacted, And be it Enacted by the King and Queens
 No. 1. most Excellent Majesties by and with the advice and consent
 of this p^rsent Generall Assembly and the Authority of the
 same, that for the future when and as often as his Excellency
 the Governor of this Province for the time being shall upon
 any Accident and urgent Affair of this Province think fit and
 convenient to call and convene an Assembly, and to send
 Writts for Ellection of Burgesses and Delagates to Serve in
 such Assembly, the forme of the said Writt shall be as follow-
 p. 211 eth, William and Mary by the Grace of God of England Scot-
 land France and Ireland King and Queen Defenders of the
 Faith &c. To the Sherriff of A: Greeting These are to
 Authorize and require you Imediatly upon receipt hereof to
 call together four or more Comission^{rs} of your County with
 the Clerk, who are hereby required to sitt as a Court and
 during their sitting by Vertue of your Office to make or Cause
 to be made Publick Proclamation thereby giving notice to all
 the freemen of your said County who have wthin your said
 County a freehold of fifty Acres of Land or a Visable Estate
 of forty pounds Sterling at the least requiring them to appear
 at the next County Court to be holden for your County at a
 certain day within a reasonable time after such Proclamation
 made for Electing and choosing of Deputies & Delagates to
 serve for your County in a Generall Assembly to be holden
 at the City of S^t Marys the Day of at which time
 of Proclamation aforesaid the said freemen soe required to
 appear or the Major part of such of them as shall then appear,
 shall and may and are hereby Authorized and required to
 Elect and choose four severall and sufficient freemen of your
 County, each of them having a free hold of fifty Acres of Land
 or of Visible personall Estate of forty pounds sterling at the
 least within your County and you shall give Authority to each
 of them Severally and respectively by four severall and
 respective Indentures under their hands and Seals to be Depu-
 ties and Delagats for your County and to appear & serve as
 p. 212 deputys and Delagates for your County at the said next
 Generall Assembly to do and consent to those things which
 then by the favour of God shall happen to be Ordeined by
 the Advice and consent of the great Councill of this Province
 concerning such occasions and Affairs as shall relate to the
 Government State and defence of this Province, but wee will
 not in any case that you or any other Sherriff in Our said
 Province be Elected, which said Indentures shall be between
 you the said Sherriff of the one part, and the said freemen
 Electing on the other part, and shall bear date the same day
 upon which the said Election shall be made, and shall mentⁿ
 the time and place of such Election and shall be sign'd and

Sealed each part of them as well by you the said Sherriff as by the said freemen by whom the said Election shall be made, and that upon such Election you the Sherriff shall so soon as conveniently may be recertify and Transmitt to the Chancellor of this Province for the time being one part of the said Severall and respective Indentures close Sealed up under your hand and Seal and directed to the Gov^r of this Province, and also to the chancellor and the other part of the said Indenture you are to keep for your Justification. Witness Lyonell Copley Esq^r Captain Generall and Cheif Govern^r of this Province at S^t Marys &c And be it further Enacted by the Authority aforesaid that two Cittizens to Serve in the said Assembly of the Citty of S^t Marys to be nominated Elected & Chosen and appointed by the Mayor Recorder Aldermen and Common Councill as heretofore hath been usuall And it farther Enacted by the Authority aforesaid four Delagates to Ellected inthe respective Countyes within this Province and the two Cittizens of the Citty of S^t Maryes be and are hereby bound and obliaged to attend at the time and Place of the meeting of such Assemblies without any further writt or Summons to be to them sent under the penalty of such Fines as shall be by the House of Assembly imposed upon them, unless upon Sufficient Excuse to be admitted by the said house of Assembly their absence to be dispenced withall any Law Statute usuage or custome to the contrary notwithstanding And be it also Enacted by the Authority aforesaid that any sherriff that shall refuse or neglect to make return of the Delagates so Elected by Indenture as afores^d before the day of sitting of such Assembly or that shall make any undue or Illegall returns of such Ellections shall for every such default be fined one hundred pounds Sterling, the one half to their Majesties for support of Government, the other half to the Informer or him or them that shall sue for the same, to be recovered in any Court of Record in this Province wherein no Essoyne protection or Wager of Law to be allowed Provided nevertheless that this Act or any thing therein contained, shall not extend to be construed to Exclude any County or Countys Citty or Cittys Burrough or Burroghs hereafter by their Majesties their Heirs or Successors to be Erected and made within this Province from the benefitt and liberty of such Ellections of Delegates and Representatives as is before Expressed, but that such Writt as aforesaid shall upon calling of every Gen^l Assembly of this Province for the future be Issued to the Sherriff of every such County when the same shall erected and made into a County as aforesaid, and to the Mayor Recorder and Aldermen of every such Citty or Bourrough Commanding of such Sherriffe or Mayor Recorder and

Lib. L. L.
No. 1.

p. 213

p. 214

Lib. L. L. Aldermen to cause four freemen of the said County and two
 No. 1. freemen of the said Citty & Burrough quallified as in the said
 Writt is Expressed to serve as dellegats and Representatives
 of the same County Citty or Burrough in the Gener^l Assembly
 then next Ensuing, which said four Delegates for every such
 Citty and Burrough shall from henceforth be Reputed and
 Esteemed to be Members of the house of the Generall
 Assembly of this Province any thing in this to the contrary in
 p. 215 any wise notwithstanding Provided also that no Ordinary
 keeper within this Province during the Terme of his keeping
 Ordinary shall be Ellected chosen or Serve as a Deputy or
 Representative in the said Generall Assembly so to be here-
 after called convened and app^{td} as aforesaid.

June 2 ^d 1692	June the 2 ^d 1692
Assented to by the Councill Board,	The house of Assembly
Signed p Ord ^r	} have Assented
John LLeuellin Clk.	Signed p Order
	Hen: Denton Clk.

An Act Prohibiting Forreign
 Ingrosers.

Whereas diverse Masters and Merchants of ships and other
 Vessells Trading into this Province do purchase great quanti-
 ties of Tobacco and afterwards Imploy the same Tobacco in
 buying Commodities Imported & either sell the said Com-
 modities to the Inhabitants of this Province at Excessive Rates
 or Export the said Commodities to the great Cost damage
 and detriment of the Inhabitants of this Province Be it there-
 fore Enacted by the King and Queens most Excellent Maj-
 esties by & with the advice and consent of this present
 p. 216 Generall Assembly and the Authority of the same that no
 person or persons so Trading as aforesaid into this Province,
 shall buy and Sell again or Transport any such Goods
 imported Provisions or other necessities only Excepted) upon
 the penalty of forfeiting all such Goods or the Value thereof;
 the one half to their said Majesties the King and Queens for
 support of the Gov^r of this Province and the contingencys
 thereof the other half to the informer or him that shall sue for
 the same to be recovered in any Court of Record within this
 Province by bill plaint or information wherein no Essoyne
 Protection or wager of Law to be allowed, this Act to endure
 for three years or to the End of next Gener^l Assembly

June 2 ^d 1692.	June the 2 ^d 1692
Assented to by the Councill Board.	The House of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Additional Act to the Act for
Regulating Ordinaries and lim̄itting
the Numb^r of them within this Province

Lib. L. L.
No. 1.

Whereas a good and profitable Act formerly made and the same is renewed and made this Sessions of Assembly Entituled an Act for Regulating Ordinaries and lim̄itting the number of them within this Province yet notwithstanding the good provision thereby made against such Exactions Experience of late hath found the same so farr from remedying the said abuse that many of them have grown more excessive and outrageous in their prices, and to avoid the penalty of the said Law, do refuse to deliver when desired unto their said Debtor und^r their hands the perticulars of the Liquors and accomodatⁿ had and received of them fearing the same should discover their unjust charge against the said Act and oftentimes when the said Debtors are overtaken in drinke, fraudulently obteyned Bills under their hands and Seals for such their debts unjustly charged, whereby their books are discharged, which otherwise in suing the said Accompts the said books in Court would discover their illegall Exact^{ns} by which cunning devices they often avoid the Penalty of the said Law and much damnify the said Debtors, to prevent which abuses for the future Be it Enacted by the King and Queens most Excellent Majesties by and with the Advice and consent of this present Gen^{ll} Assembly and the Authority of the same, that from and after the Publication hereof no ordinary keeper whatsoever within this Province for any debt due to him for Liquors or other Ordinary Accommodations shall take any bill bond or other security other then the Account charged in his Book for the same or recover Judgement in any Court of Record within this Province for such debt till he hath before one Justice of the Provinciall or County Court or one Ald^rman of the City of S^t Marys first taken his Corporall Oath that the Particulars of the aforesaid account are truly Rated according to the Rates and prices Sett and Assessed by the Justices impowered thereto by the aforementioned Act of Assembly, and that the same were sold and delivered by the order of the said debtor to the s^d Debtor or his appointment, and that bona fide without fraud he bought the same liquors for quality as in his s^d Acco^t he hath named and sold the same without any mixture or imbasement other then what was ordered by the said debtor or with his consent, which oath so taken shall be certified under the hand of such Justice of the Provinciall or County Court or Aldermen of the City of S^t Marys before whom the same Oath shall be taken and delivered to the said Debtor before any other security be taken otherwise the said Bills

Lib. L. L. Bonds and all oth^r securitys shall be voyd and a perpetuall
 No. 1. barr against the said Creditor other then the said book debt
 legally Charged according to Act of Assembly as aforesaid,
 for which said Certificate they shall pay to the Clerk the said
 Justices shall Employ to write the same the sum of twelve
 p. 219 pence sterling or twenty pounds of Tobacco to be allowed
 them again in the said accompt sworn to against such debtor,
 which said Debtor shall also Endorse under his hand such bill
 bond or other Security given with these words, an Account
 delivered before passing this bill according to Act of Assembly.
 Provided this Act shall not hinder such Ordinary keeper from
 selling for ready money within doors or wthout any Liquors
 without any such Account given as is by this Act prescribed
 but may do the same as before the making hereof anything
 herein to the contrary notwithstanding And be it further Enacted
 by the Authority Afores^d that no person or persons Inhabiting
 within this Province not having lawfull Lycence, shall sell by
 retayle any Cyder Quinch drink or other strong Liquors to be
 drunk in his or their houses or about his or their Plantation
 upon forfeiture of every time he shee or they shall be legally
 convict thereof, the sum of one thousand pounds of Tobacco
 one half thereof to Our Sovereign Lord and Lady the King
 and Queen their heirs or Successors for the support of this
 Gov^rment, the other half to the Inform^r or him or them that
 shall sue for the same to be recovered in any Court of Record
 within this Province by bill plaint Accōn of debt or Informa-
 tion wherein no Essoyne Protection or wager of Law to be
 allowed.

June 2 ^d 1692	June the 2 ^d 1692
Assent ^d to by the Councill Board	} The house of Assembly
Signed p Ord ^r	} have Assented
Jo. Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

p. 220

An Act concerning Negro Slaves.

Be it Enacted by the King and Queens most Excellent
 Majesties by and with the Advice and consent of this p^rsent
 Generall Assembly and the Authority of the same, That all
 negroes and other slaves already imported or hereafter to be
 Imported into this Province, shall serve their naturall lives
 and all the Children born already or hereafter to be born of
 any Negroes or other Slaves withⁿ this Province shall be
 Slaves to all intents and purposes as their parents were for the
 terme of their naturall lives And forasmuch as diverse free
 born English and white women, sometimes by the Instigation
 procurement or Conivance of their Masters Mistress or Dames,

and always to the Satisfaction of their Lacivious lustfull desires, and to the disgrace not only of the English but also of many other Christian nations, do somtimes intermarry with and Sometimes permitt themselves to be gotten with child by negros or other Slaves by which means diverse Inconveniencies Controversies and suits may arise touching the issue of Children of such English or White women as aforesaid, For prevention of which Inconveniencies and others of the like nature and Equall evill Be it Enacted by and with the advice and consent aforesaid, That any freeborn English or white woman that shall after the Publication of this Law, either intermarry with or permitt herself to be begotten with child by any Negro or other Slave, shall undergo the paines and penalties by this Law hereafter provided against them, That is to say any free born English or white woman be shee free or Servant and shall hereafter intermarry with any negro or other Slave or to any Negro made free, shall Imediatly upon such Marriage forfeit her freedome and become a Servant during the Terme of seven years to the use and benefitt of the Ministry or the Poor of the same Parish at the discretion of the Vestry men of the Parish to which the said Woman at the time of Marriage did belong, and if he be a free Negro or Slave to whom she intermarried, he shall thereby also forfeit his freedome and become a Servant to the use aforesaid during his naturall life But if the said English or white woman as aforesaid at the time of such Marriage as aforesaid if the Marriage be without the Connivance or procurement of her Master Mistress or dame be a Servant she shall finish her time of Servitude together wth what damage shall accrew to her Master M^{rs} or Dame by occasion of any Children that may happen to be begott of her during the time of her Servitude as aforesaid, And after the Expiration of her Servitude & Satisfaction for the damages as aforesaid (which shall always be adjudged by the Justices of the County Court wherein they live or dwell) she shall become a Servant during the Terme of Seven years as aforesaid to the use aforesaid, and the issues of such women shall likewise be Servants to the uses aforesaid till they arive to the Age of one and twenty years (that is to say) if their issues be begott within such marriage as aforesaid, And if any free woman or Servant as aforesaid shall permitt themselvs to be begotten with child by any Negro or Slave not marryed together as aforesaid, shall for every such Offence suffer the pains and penalties hereafter mencōned and Expressed (that is to say) If a free woman at the time of the begetting or bearing of such Bastard Child as aforesaid, she shall become a Servant and Serve to the uses aforesaid during the space of seven years to commence from the time of her delivery of such

Lib. L. L.
No. 1.

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- Lib. L. L. bastard Child as aforesaid, and if he be a free Negro or Slave
 No. 1. that shall be the begetter of such Child and proved against
 him in such manner and forme as by one other Act Entituled
 an Act concerning those Servants that have Bastards is pro-
 vided for proof for proving any person to be the begetter of
 the Bastard Child, the said free Negro shall likewise become a
- p. 223 Servant for seven years to the use aforesaid to comēce from
 the time of the womans delivery as aforesaid But if the woman
 be a Servant at the time of such begetting and bearing of
 such Bastard Child as aforesaid she shall first serve out her
 first time of Servitude and make Satisfaction for the damage
 as aforesaid, and after shall serve the Term of Seaven years
 as aforesaid to commence from the finishing her first Service
 as aforesaid, and the master of every such woman Servant is
 hereby enjoyned and required to deliver the said Servant
 woman at the Expiration of her Servitude as aforesaid, to the
 Vestry men of the Parish aforesaid, to which she belongs, to-
 gether with such Bastard Child if living for the use afores^d
 under penalty of making Satisfaction for the same, and all
 such Bastard Children to be Servants to the uses aforesaid
 till they arrive to the age of thirty one years And be it
 Enacted by the Authority afores^d by and with the consent and
 advice aforesaid that any freeborn English or white man
 that shall from and after the Publication of this Act either
 inter marry wth or begett with Child any negro woman or
 Slave when proved against him shall be lyable to the same
 paines and penalties as in and by this Act is provided against
 English or white woman And be it likewise Enacted by and
 with the Advice and consent aforesaid That if any Master Mis-
- p. 224 tress or dame having any free born English or white woman
 Servant as aforesaid in their Possession or propriaty shall by
 any Instigation procurement, knowledge permission or Conive-
 ance whatsoever suffer any such freeborn English or white
 woman Servant in their Possession & wherein they have pro-
 priety as aforesaid to Intermarry or contract in Matrimony
 with any Negro or Slave from and after Publication of this
 Act, That then the said Master Mistress or dame of such free-
 born woman as aforesaid so married as afores^d shall forfeit and
 loose all their claim or Title to the Service or Servitude of any
 such free born woman, and also the said woman Servant so
 married shall and is by this present Act against such Master
 Mistress or dame (only and no otherwise) absolutely dis-
 charged mannumitted and made free instantly upon her
 Marriage as afores^d from the Service Employment or demand
 of any such Master Mistress or dame so offending as afore-
 said and the said English or white woman to be Servants with
 their Issues as aforesaid within such marriages as aforesaid to

the uses aforesaid, And the Master Mistress or dame so offending as aforesaid, shall also forfeit the sume of Ten thousand pounds of Tobacco one half to the King and Queen their heirs and Successors for the support of Government within this Province, The other half to him or them that shall informe or sue for the same to be recovered in any Court of Record within this Province by bill plaint or Information wherein no Essoine Protection or wager of Law shall be allowed, And any Priest Minister Magistrate or other person whatsoever within this Province that shall from and after the Publication hereof joyn in Marriage any Negro or other Slave to any English or other white woman Servant free born as aforesaid shall forfeite and pay the sum of Ten thousand pounds of Tobacco, one half to their said Majesties their heirs and successors, to the use aforesaid and the other half to the Informer to be recovrd as aforesaid Any Law Statute or usage to the Contrary notwithstanding.

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

An Act for the restraining of the unreasonable encrease of Horses in this Province.

Whereas by the great encrease of horses within this Province, the Inhabitants do find themselvs very much Impoverished in their Stock and damnified in their Cornfields to the ruine and destruction of the Inhabitants and lessning of all sorts of Provision and foasmuch as there hath been hitherto no Law Provided as a Remedy to restrain this growing and intollerable Grievance Be it Enacted by the King and Queens most Excellent Majes^{ts} by and with the advice and consent of this present Generall Assembly and the Authority of the same, That every person that shall take up any stoned horse of any person or persons within this Province shall have two hundred pounds of Tobacco for reward for the same The taker up delivering said horse to the owner of the said horse and the owner thereof shall be obliged to Cutt the same within six weeks after the delivery of the said horse under the penalty of four hundred pounds of Tobacco unless the said horse be fourteen hands high to be adjudged by the next justice of Peace And that all Stallions of the said size shall be kept within a fence or the owners thereof shall be obliged to cutt the same within six weeks under the penalty of four hundred pounds of Tobacco, And that all Horse Colts whatsoever be cutt for

Lib. L. L. three years together within one year after such Colt is foaled,
 No. 1. or else it shall and may be lawfull for any person whatsoever
 to kill them and that no freeman whatsoever not having Land
 p. 227 within the County where Hee lives shall keep but one horse
 to be a Gelding. This Act to take place the last day of
 November next And that the Fines and Forfeitures in this
 Act mencōned be to their Majesties for the support of Gov-
 ernment, to be recovered by Action of debt bill plaint or
 Information wherein no Essoine Protection or Wager of Law
 to be allowed. This Act to continue for three years, And that
 no person whatsoev^r presume to Range in the woods for wild
 Horses and other wild Cattle without Lycence first had and
 obtained from the Governor for the time being under the
 penalty of fifty pounds Sterl. for such default, and that no
 horse be Imported into this Province upon penalty of forfeit-
 ing the same.

June 2^d 1692

Assented to

Signed p Ord^r

John Llewellyn Clk.

June the 2^d 1692

The house of Assembly
 have Assented

Signed p Ord^r

Hen: Denton Clk.

An Act for the Payment of Fees due from Criminall Persons.

Whereas divers complaints have been made by Severall
 Counties in this Province occasioned for that they have been
 forced to pay the Fees of Imprisoned Crimminalls the Persons
 p. 228 by whom such Fees ought to have been paid or hereafter to
 be paid being released and going free to the great Encour-
 agement of Offenders, for prevention whereof for the future
 Be it Enacted by the King and Queens most Excellent Maj-
 esties by and with the Advice and Consent of this present
 Generall Assembly and the Authority of the same That from
 hence forward no person either Sherriffe or Goaler, shall
 charge either their own County to which they do belong or
 the Publick with any Fees for any Criminall committed to his
 or their charge, having Sufficient Estate in this Province
 wherewith to pay the same or being Capable of paying the
 same by Servitude, But that such Criminall being discharged
 by Order and due Course of Law shall pay his own Fees to
 the Sherriff or Goaler according to Act of Assembly either
 out of his Estate or by Servitude or otherwise whatsoever,
 And the s^d Sherriff or Goaler shall not demand of such Crimi-
 nall so discharged by order as aforesaid any fee for any thing
 after the said Order made, unless the Party so freed as afore-
 said shall delay Payment of such Fees by Servitude or other-

wise Provided always That this Act shall not extend to Male-
 factors which are Executed or to such other persons who are ban-
 ished, having no Estate in the Province or Servants Criminalls
 for whom the Counties shall pay the Fees due to the Sherriffe. Lib. L. L.
 No. 1.
 In all which Cases the Sherriff or Goaler shall recover and be P. 229
 paid such Fees by the County where the Fact was Comitted
 and the Criminall resided or by the whole Countrey at the
 discretion of the Justices of the Provinciaall Court And be it
 further Enacted by the Authority aforesaid, That all and every
 Serv^t Criminall from whom the County shall pay the Fees due
 to the Sherriff as aforesaid, shall after the end and Expiration
 of his time of Servitude due to his Master Satisfy unto the
 Commission^{rs} of the County who paid such his fees for him
 to the Sherriff as aforesaid for the use of such County such
 sums as they have paid as aforesaid And the Severall Com-
 missioners of the severall Counties shall and are hereby
 Impowered to make Inquisitⁿ after all such Servants Crimi-
 nalls for whom the County hath defrayd the said Fees to the
 Sherriff and they the said Comission^{rs} according to their best
 discretion shall order the said Servants to make such reason-
 able Satisfaction to the County as they shall think fitt and in
 such manner as they shall find conven^t And for the better
 Security of the county who shall pay such Criminall Servants
 as aforesaid Be it Enacted that the Master M^{rs} or Dame of all
 such Servants be and are hereby enjoyned and required at
 the Expiration of such Servants time of Servitude to such
 Master Mistress or Dame as aforesaid to render up and deliver
 to the Justice or Justices of the Peace of the County for the
 use of the County aforesaid, such Servants Criminalls as afore-
 said und^r the penalties to such Master M^{rs} or Dame refusing P. 230
 or neglect^g to deliver up such Servant as aforesaid of making
 Satisfaction and paying to the County all such Fees as by the
 County aforesaid hath been paid for such Criminalls as afore-
 said, And such Justice or Justices to whom such Criminall
 Servant shall be delivered as aforesaid are likewise required
 to secure such Servant Criminall as aforesaid, in such manner
 and way as to the said Justice or Justices shall seem meet and
 Convenient so that he be and appear at the then next County
 Court to be held for the said County to be disposed on as the
 Court shall Consider

June 4 th 1692	June the 2 ^d 1692
Assented to by the Councill Board	The house of Assembly
Signed p Ord ^r	} have Assented
John Llewelin Clk.	} Signed p Ord ^r
	Hen: Denton Clk.

Lib. L. L.
No. 1.An Act touching Coop^{rs} and the
Gage of Tobbacco Hogsheads.

Whereas Severall complaints have been made by diverse Merchants Masters of Ships & others of the unreasonable size of Tobacco Cask made in this Province whereby they are disabled to answer such freight as they agree for, and thereby discouraged to bring in their Ships hither which may turn to an apparent decay of Trade if not timely prevented, And that the Coopers Employed to make Cask and sett up Tobacco Hogsheads, do for the most part either through Idleness or Wilfullness neglect refuse or delay to set up and finish the quantity of Hogsheads & Tobacco Cask to be sett up and made till very late in the year, and till Shipping time be almost done, to the great prejudice of Merchants Planters and Inhabitants in this Province Be it therefore Enacted by the King and Queens most Excellent Maj^{ties} by and with the advice and consent of this Generall Assembly and by the Authority of the same, That all Tobacco Hogsheads that shall hereafter be made within this Province shall be of the size of forty four Inches in length and thirty one Inches in the head, and not under the size of forty three Inches in length and thirty Inches in the head, And that what Cooper or Coopers or other person or persons that shall make Tobacco hoggs^{hds} and do not observe the Gage aforesaid, shall forfeit the said Cask and upon Complaint thereof made be censured for his or their default by each respective County Court where such pson or persons do Inhabit. And that any Cooper or Coopers person or persons whatsoever that shall agree with any of the Inhabitants of this Province and undertake with him or them to set up or make his or their Tobacco Hogsheads or Cask, shall and are hereby enjoyned to Set up and finish one half of the said Tobacco Hogsheads or Cask by the Tenth Day of October next and so by the Tenth day of October in any year, And the said Cooper or Coopers person or persons so agreeing or undertaking to sett up the said Cask as aforesaid, shall and are also hereby Enjoyned to sett up and finish the other Moyety or half part of the said Tobacco Hogsheads or Cask by or before the Tenth day of Decembr next coming, and by or before the Tenth day of Decembr in any year. And if any Cooper or Coopers person or psons whatsoever within this Province so agreeing and undertaking the same as aforesaid, shall wilfully or otherwise neglect or refuse to make sett up Compleate and finish the said Tobacco hogsheds and Cask aforesaid in such proportion and by such times as aforesaid shall forfeit the sum of one hundred pounds of Tobacco for every Tunn of Cask and Tobacco Hogsheads left at that time

afores^d unmade not sett up and unfinished to be recovered in the Severall County Courts where the said party or Partys Cooper or Coopers do at that time dwell or reside unless the Cooper or Coopers person or persons agreeing or undertaking the said work or Task aforesaid shall or can before the Comission^{rs} of such County Courts make it Sufficiently appear that he was hindred in performing his said Agreement or undertaking by sickness or some other lawfull Impediment to be adjudged and Approved of by the Commissioners of the said Severall County Courts And for the prevention of the unreasonable great Tare of Tobacco hogsheads of very ill consequence and damage of the Merchants and others Traders here within this Province, and also to avoid the many Inconveniencies of too weighty and unseasoned Cask Be it also Enacted by the Authority aforesaid by and with the advice and consent aforesaid, That from and after Publication hereof, All Merchants Traders Planters overseers and other Inhabitants of this Province making any Crops of Tobacco, shall provide and cause to be fallⁿ and saw'd by the last day of Aprill at furthest in every year respectively all such Timb^r as be intended or allotted for making Tobacco hogsheads to the end the same may be well seasoned under the penalty of one hundred pounds of Tobacco forfeiture for every hogsh^d he or they shall have sett up or made of any oth^r Timber then what shall be seasoned as aforesaid, one half to Our Sovereign Lord and Lady the King and Queen their heirs or Successors for the Support of this Government, the other half to him or them that shall sue for the same in any Court of Record within this Province wherein no Essoine protection or wager of Law to be allowed. And be it Enacted by the Authority aforesaid by and wth the advice and consent aforesaid, That from and after the Publication hereof no Tobacco Hogshead or Cask for Tobacco shall be sett up or made by any Cooper or Coopers whatsoever of any other Timber than what is herein before Provided, and the same to hewn and riven into Staves and heading by the last day of July in every year respectively, And when sett up and finished not to weigh above ninety pounds p hh^d under the penalty of one hundred pounds of Tobacco for every hh^d that shall from and after the Publication hereof hereafter be sett up of any other Tymber that shall be so fallen and hewen or rived as aforesaid, or shall when set up or finished exceed the Weight of ninety pounds as afores^d to be paid by such Cooper or Coopers as shall be sett up or make any such Cask or Casks, to be recovrd in the County Courts where the Offence shall be Comitted The one half to Our Sovereign Lord and Lady the King and Queen their Heirs or Successors for the Support of this Government, The other half

Lib. L. L.
No. 1.

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Lib. L. L. to the Informer or him or them that shall sue for the same as
No. 1. afores^d This Act to Endure for three years or to the end of
the next Generall Assembly which shall first happen

June 4 th 1692	June the 2 ^d 1692
Assented to by the Counc ^{ll} Board.	The house of Assembly
Signed p Ord ^r	have Assented
John Llewelin Clk.	Signed p Ord ^r
	Hen: Denton Clk.

p. 235 An Act for the Ordering & Regulating
the Militia of this Province for the better
defence & Security thereof.

Be it Enacted by the King and Queens most Excellent Majesties by and with the Advice & consent of this present Generall Assembly and by the Authority of the same, That from and after this Sessions of Assembly, The Militia of this Province shall be Mustered Trained and Excercised according to these Instructions and directions following.

Imp^rmis. That every Colonell Major or Cap^t of Foot already comissionated or hereafter to be Comissionated by his Excellency the Governor of this Province for the time being, shall have power to inlist such and so many men Inhabiting within this Province not hereafter Excepted in their severall and respective divisions between sixteen and sixty years of Age as they shall think fitt by as Equall proportions of the said Inhabitants as possibly they can to be of the Militia or Train'd Bands of this Province, which said Persons so inlisted they shall Muster Exercise and Train in and at such Places, and at such certain times as to them shall seem meet, or the service safety and defence of this Province shall require or as his Exc^{lley} the Gov^r of this Province for the time being shall see cause to Order.

p. 236 2^{dly} That every such Coll: Major or Cap^t shall give notice or summons upon every Training or Mustering to every person so inlisted as aforesaid within his respective Division or Limitts at the head of his Company, or at the House of the Party by an Officer of his Company or a Warrant under his hand to Appear at such times and place as he shall appoint for such Training and Mustering, And that if any man after such notice and Summons given as afores^d shall neglect or refuse to Appear at the time and place appointed as aforesaid, or that shall refuse when he hath so appeared to be inlisted into the Militia and Trayned Bands aforesaid, or that being so inlisted shall not from time to time as he shall be summoned or warned as aforesaid appear and bring with him one good Serviceable Gun fixed & six shoots of Powder, shall for every

such Offence if a freeman forfeit and pay the sune of one hundred pounds of Tobacco and if a Servant letted or hindred by his Master or Overseer, then such Master Mistress or overseer to forfeit and pay the like sum of an hundred pounds of Tobacco for every such Servant so letted or hindred as aforesaid for the use of the Foot Company to purchase drum and Coullors and other necessarys for the Company as the Comānder thereof shall direct Provided that this clause be not to countenance any Officers to Press Arms or Ammunition for any further Expedition or Service then Training, but that upon all such Occasions they be Supplied out of the County Magazeen or Store all w^{ch} forfeitures shall be adjudged of heard and determined by such Collonel Major or Captain of any Foot Company as aforesaid And an Account thereof kept in writing by the Clerk of such Company, which said Collonel Major or Cap^t of such company as aforesaid is hereby Authorized and impowered to award Execution against the Goods and Chattles of such Person so refusing neglecting or failing as aforesaid and that upon Occation of all such Executions the respective Clerk and Sherriff of each respective county within this Province shall Issue out and serve such fee without any fee or Reward.

Lib. L. L.
No. 1.

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3^{dly} And for the setling of the Horse Forces that each Cap^t of Horse in each respective company for making up of his Troop Elect and inlist his number of Men out of the Inhabitants of the said County, according to such Instructions as he shall from time to time receive from the Governor of this Province for the time being. Provided always that such Troopers shall ride their own Horses, and that no person shall be a Trooper without he be owner of a good Serviceable Horse which shall pass Muster and that such Troopers in consideration of their great Pay hereafter to be allowed be bound and obliged to find themselves with good able & sufficient furniture for their Horses, and likewise to find themselves with swords, Carabines, Pistolls Holsters and Amunition, and if any Trooper shall neglect or refuse upon notice given to them in Manner as aforesaid to the Foot to appear at Musters at the time and Place appointed as aforesaid by each respective Captain of Horse Accoutred & Equipped as aforesaid shall forfeit and pay the sune of one hundred pounds of Tobacco to be Levyed as aforesaid for the use of the Troop for Trumpett and Coulours and other necessities as the commander shall think fitt. And that all such Troopers for and in consideration aforesaid at all such times as they are out a ranging, shall find their own Provisions, but when in Actuell Service then to be found Provisions at the charge of this Province to be paid by the Publick, And if it shall happen that any Troopers Horse be killed in

p. 238

Lib. L. L. the Service, then the said Trooper to be paid for the said
No. I. Horse by the Publick and not otherwise.

4^{ly} That all Persons in Holy orders delagates Magistrats and Constables shall in their proper psons be Exempted from being compelled to Muster and Train either in horse or Foot during such Terme as they officiate or bear such Offices as aforesaid Provided that this clause shall not Extend to such psons as already have or hereafter shall accept Comisions
p. 239 for Military Service from the Governor of this Province for the time being, so as to discharge such persons from their respective charges mencōned in such their severall and respective Commissions neither shall this Clause nor any part thereof be construed or taken to Excuse any Delagates Magistrates or Constables as aforesaid from sending into the field to muster or Training either to Horse or Foot when and as often as due notice and summons shall be to them given as aforesaid, some other Person or psons in his or their stead and place so provided or Equipp'd as aforesaid upon forfeiture as aforesaid And be it Enacted by the Authority aforesaid, That all negros and Slaves whatsoever shall be Exempted the duty of Training or any other Military Service.

5^{thly} That the pay for the Officers & Soldiers of the Foot and Horse aforesaid be not other thⁿ is hereafter mencōned & for no long^r time, then such Officers & Sold^{rs} that be in actuall Service to witt

actual Service to witt			lb. Tob.
To every Major Gen ^{ll} being		Cheif Comānd ^r in the field	3000
To every Coll of Foot	£2000	and th ^t every Coll: of Horse have	2300
To a Maj ^r of Foot	1200	and that a Major of Horse have	1500
To a Cap ^t of Foot	1000	a Cap ^t of Horse to be allowed	1300
To a L ^t of Foot	700	a L ^t of horse	1000
To an Ensign	600	To a Cornet	900
To a Serj ^t	400	To a Quarter Master	700
To a Corporall	400	To a Corporall	700
To a Drummer	400	To a Trumpeter	700
And to every private Sold ^r	300	And to every private Troop ^r	600

p. 240 And that all these Rates and allowances for such Offic^{rs} and Soldiers aforesaid, shall be allowed and paid and no more, and the Months before mencōned be Accounted computed and reckoned according to the Kallender and no otherwise.

6^{thly} And to the intent that whensoever it shall appear to the Cheif Governor of this Province for the time being or his Councill to be necessary to raise Forces for Suppressing of any Forreign Invasion or domestick Insurrection or Rebellion or a War with any Indians, That the said Officers and Soldiers may be duly paid according to the proporcōns afores^d and all other charges and Expences for the Charge and Management of such Warr may be duly paid & discharged without which this Province cannot be defended and secured. Be it Enacted

by the Authority aforesaid that from henceforth all such necessary charge of such war & Sold^{rs} Pay as afores^d shall be paid discharged & defray'd by a Publick Leavy, by an Equall Assessment upon the Taxables of this Province by the consent of the freemen of this Province by their Representatives in a Generall Assembly and no otherwise whatsoever, according to the Clause in an Act intituled an Act of gratitude to his Excellency Charles Calvert Esq^r Captain Gen^l of Maryland. Lib. L. L.
No. 1.

7^{thly} And to the intent that the Inhabitants of this Province may not be abused by having their Goods and Provisions prest by loose and Idle fellows who many times abuse their Commissions and the People. Be it Enacted by the Authority aforesaid, that from henceforth the Commissioners of each respective County shall yearly and every year Viz. between the twenty ninth day of September and twenty fifth day of December nominate and appoint honest and Substantiall men of their Counties for every hundred to be Press masters for the year ensuing, and if any one Dye or depart the Country or be lame or sick within that time that then the next Justice of Peace to nominate and appoint another in his Stead, that if occasion require they and no other shall Impress Victualls or other things given them in charge to Press by Warrant from his Excellency the Govern^r in Cheif for the time being, And if any other but such Press master so appointed shall presume upon p^rtence of any Power as a Press master to seize take Press or Carry away any Goods or Commodities of any the Inhabitants of this Province shall pay to the person Grieved treble the Value of the Goods or Commoditys so as aforesaid unjustly Pressed. Provided that no Press master or any Person or Persons whatsoever shall presume at any time to seize Press or Carry away from any Inhabitant Resident in this Province, any Armes or Ammunition of any kind whatsoever upon any duty or Service, or upon any Account whatsoever under the penalty aforesaid any Law Statute or usage to the contrary hereof in anywise notwithstanding. p. 241

8^{thly} And be it likewise Enacted by the Authority aforesaid that the Commissioners of any County Courts within this Province who shall not between the twenty seaventh day of September and the said twenty fifth day of December in each respective year by precept from the County Court signed by the Clerk of the Court nominate and appoint such and so many Press masters for every hundred within their County as aforesaid, shall each of them forfeit and pay unto their Majesties for support of Government the sum of five hundred pounds of Tobacco, And such Press Masters who shall be so nominated & app^{td} as aforesaid by such precept as aforesaid to him or them directed and shall thereupon refuse or neglect

Lib. L. L. to serve and truly to perform and Execute the said Place and
 No. 1. Office of Press Master, shall forfeit and pay unto their Majesties for support of Gov^rm^t for every time he or they so nominated and App^{td} as aforesaid shall refuse or neglect to serve as afores^d the sum of five hundred pounds of Tobacco.

9^{thly} And for the more and better Encouragement of such Soldiers as shall in the time of War adventure in the Service
 p. 243 of the Country and defence thereof against any Indians Be it Enacted that the free booty Prize Pillage or Plunder or any Indian seized or taken Prisoner shall by the Commander be Equally distributed and divided amongst the Soldiers by a Division & distribution be made by the Poll.

10^{thly} And for the Encouragement of such Soldiers as shall adventure their lives in the Service and defence of this Province and for a Provision of some reasonable Pensions to be for the future settled on such Soldiers as shall happen to be maymed and renderd uncapable to get a lively hood for themselvs and family Be it Enacted by the authority aforesaid that every person that should Adventure as a Soldier in any Warr in defence of this Province and shall therein happen to be maymed or receive hurt, so as to be rendred uncapeable of getting a livelyhood as aforesaid, shall according to his dissability receive a yearly pension to be raised out of the Publick Levy of the Province for the time of such his disabillity, and every person slayn in the Service of this Province leaving behind him a wife and Children, shall also be allowed a Competent Pension, the wife during her Widdowhood and the Children till they be of years able to get their living, or be put out Apprentices, and that this Pension be yearly paid and allowed out of the fifty thousand pounds of Tobacco p ann. to
 p. 244 be raised by the Governor of this Province for the time being or the Councill as in this Act is hereafter to be provided in the intervalls of Assemblys the Party Petitioning for such Pension and allowance procuring a Certificate from the County Court where he she or they live, that he she or they are objects of Charity and deserve to have such pension and allowance. Provided that this Act nor any thing therein conteyned shall not repeat or be construed to repeat the perpetuall Laws of this Province Intituled An Act for such as shall adventure in the Countrey Service

11^{thly} And be it further Enacted by the Authority aforesaid, That if upon any Forreign Invasion any person or persons whatsoever (except before Excepted) that shall be prest or be an inlisted Soldier within this Province shall upon the Command of his Officer being a Cap^t at the least obstinately refuse to Appear & Serve in Armes for the necessary defence of this Province such person or persons so obstinately refusing

to appear and serve in Armes as aforesaid shall upon Certificate thereof under such Officers hands as aforesaid to the next Justice of the Peace of the County where such Party liveth be proceeded against in Manner following: that is to say the same Justice of the Peace, to whom such Certificate as aforesaid shall be made, shall Immediately issue out a warrant to the Constable of the hundred where such Party liveth to apprehend him and bring him before himself or some other Justice of the Peace of the same County there to render a Sufficient excuse (if any he has) for such his refusall or non appearance as aforesaid, And if such Justice of the Peace shall not find the Excuse of such party in such Case to be reasonable & Sufficient then he shall immediately committ such person to the Custody of the Sherriff of such County there to remain untill he shall find surety to Appear at the next Provinciaall to be held for this Province there to be proceeded agst according to due Course of Law, and if thereupon he shall be convict of such his obstinate refusall or disobedience as aforesaid, he shall be fined and Imprisoned according to the discretion of the Justices of the Provinciaall Court, And for the prevention of the Great Charge of Anūall Assemblys who may meet for no other occasion but to Levy the Publick Levy in time of Peace, Be it Enacted by the Authority aforesaid that the Governor and Councill during the Intervall of Assembly's for the defraying and payment of small charges of this Province be and are hereby impowered to Assess the same equally to be Levied upon all the Inhabitants of this Province for the defraying of the said small charges in time of Peace as aforesaid any thing in this Act to the Contrary in any wise notwithstanding.

Provided alwaies and it is the true intent and meaning of this Act, that the said sums for the small charges of this Province so to be assessed by the Governor and Councill as aforesaid upon the Inhabitants of this Province as aforesaid Exceed not in any one year, the sum of fifty thousand pounds of Tobacco, and the disbursements of the said Tobacco, to be Acco^{ted} for at the next Generall Assembly after the raising and disbursing such Tobacco as aforesaid. And be it further Enacted by the Authority aforesaid, That all Soldiers hereafter to be Employed in any Publick Service within this Province, be paid in the respective places where the said Soldiers live. This Act to continue for three years.

June 4th 1692
Assented to by the Counc^l Board.
Signed p Ord^r
John Llewelin Clk.

June the 4th 1692
The house of Assembly
have Assented.
Signed p Ord^r
Hen: Denton Clk.

Lib. L. L.
No. 1.

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Lib. L. L.
No. 1.

An Act of Repeale of all Laws
heretofore made in this Province &
confirming all Laws made this
Generall Assembly.

Be it Enacted by the King and Queens most Excellent
p. 247 Majesties by and with the advice and consent of this present
Generall Assembly, That all Laws heretofore made in this
Province be and forever hereby stand Repealed adnulled and
void, and that all Laws now made and assented to this present
Generall Assembly (and no other) be & remain in full force
and power according to the true intent & meaning thereof
and that the same be accounted and esteemed as the body of
the Laws of this Province and no other heretofore made

Provided always that this Law shall not extend or be Con-
strued to make void any persons Right by Acts of nature
Affections or any private Acts heretofore made relating to
any private persons, but that the same be hereby kept and
preserved to them according to the true intent and meaning
thereof any thing herein to the Contrary notwithstanding

June 7 th 1692	June the 7 th 1692
Assented to by the Councill Board.	The house of Assembly
Signed p Ord ^r	have Assen ^{td}
W. Taylard Clk.	Signed p Ord ^r
Assistant.	Hen: Denton Clk:

An Act Prohibiting Trade wth the Indians
for Deer Skins Elk Skins or any furs
whatsoever without Lycence.

p. 248 Forasmuch as many Inconveniencies and mischeifs have
arisen from the large and unbounded Latitude taken by
Severall persons Inhabitants and others within this Province
dealing and Trading with the Indians for Deer Elk and Bear
skins and Severall sorts of Furrs usually and most frequently
practized by people disaffected to their Majestyes Interest and
this Gov^rment thereby also encouraging to come down and
drawing down severall forreign & unknown Indians amongst
the Inhabitants to their great damage and prejudice in killing
and destroying their stocks, sometimes assaulting their per-
sons & taking away in most barbarous manner the lives of
their Majesties Subjects on the frontiers of this Province for
prevention whereof for the future Be it Enacted by the King
and Queens most Excellent Majesties and this present Gen-
erall Assembly and the Authority of the same, That from and
after the Publication hereof no Person or Persons whatsoever,
Inhabitant or others residing, Trading or coming into this

Prov^{ce} do presume to Trade, Traffick, barter or deale with any Lib. L. L.
 forreign or other Indians whatsoever for any manner of Deer No. 1.
 Elk or Bear skins drest or undrest whatsoever, or for any
 beaver, Otter, Musk-Ratt or other furs whatsoever upon the
 Account of Merchandize with intent to Export the same out
 of this Province, without leave and Lycence from his Excel- p. 249
 lency the Cap^t Generall and Governor in Cheife of this their
 Maj^{tys} Province and Territories, or from the Cheif Governor
 for the being, under the pain and penalty of the loss of all
 such skins & Furrs so purchased as aforesaid, together with
 ten thousand pounds of Tobacco, to be forfeited and paid by
 the party or parties offending and Transgressing against the
 same, and thereof legally and duly convicted, one half thereof
 to their Majesties their heirs and Successors, and the other
 half to him or them that shall seize inform and sue for the
 same to be recovered by Action of Debt bill plaint or Informa-
 tion in any Court of Record within this Province, wherein no
 Essoyn Protection or Wag^r of Law to be allowed, this Act to
 endure for three years or to the end of the next Sessions of
 Assembly &c^a

June 8 th 1692	June 8. 1692.
Assented to by the Councill Board.	The House of Assembly
Signed p Ord ^r	have Assented
John Llewellyn Clk.	Signed p Ord ^r
	Hen: Denton Clk.

June the 9th 1692.

On behalf of their Majesties King William & Queen Mary
 &c^a L. C. I will these be Laws.

Memorandum.

That all these Laws contained in this book being fourscore
 and four in number and written in 249 pages were Copyd on
 at the Plantation office in Whitehall from the originall Laws
 then in the Custody of the Hon^{ble} William Blathwayt and John
 Povey Esq^{rs} and were carefully examined by me at Whitehall
 In the month of December 1695

Witness my hand

Thomas Laurence

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